

THE CLERGY REVIEW

APRIL, 1947

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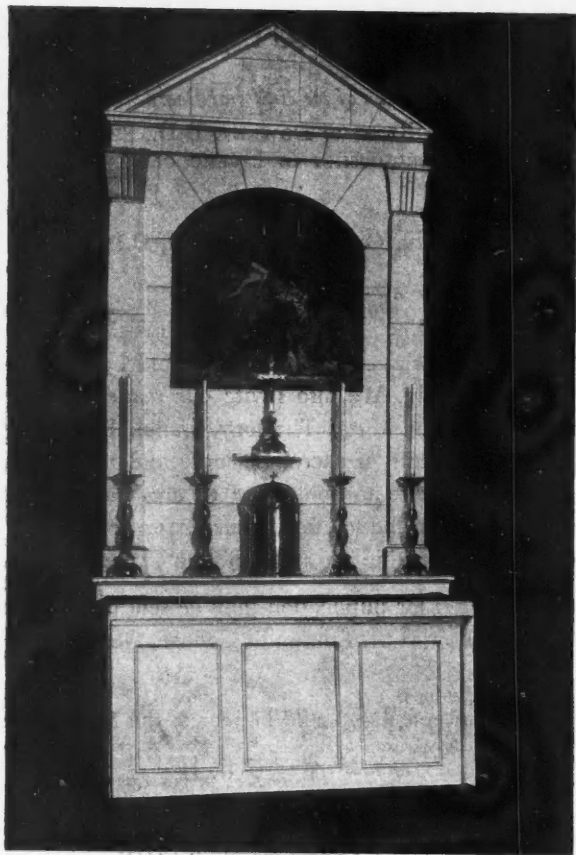
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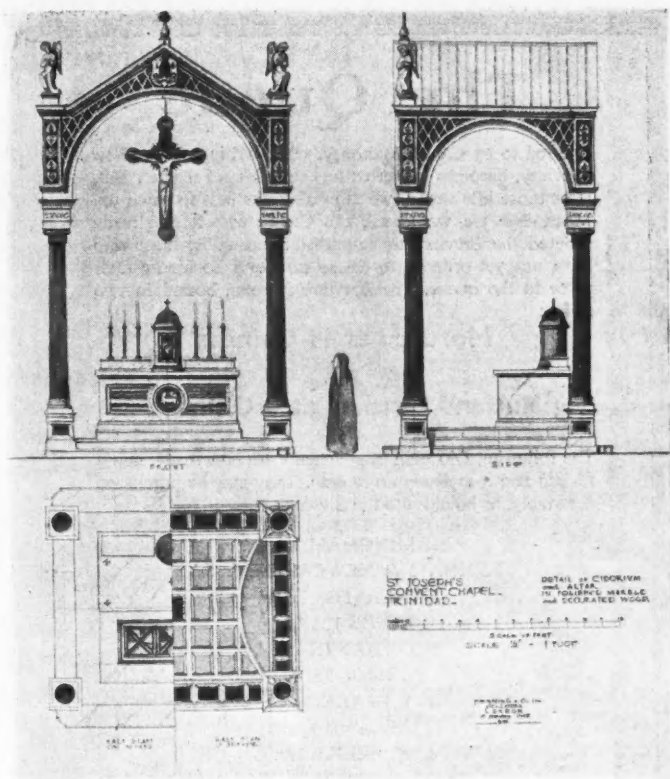
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The CLERGY REVIEW

NEW SERIES

VOL. XXVII. No. 4.

APRIL 1947

NATURAL MAN AND NATURAL LAW

IT is a commonplace to say that every human problem, and especially every political problem, is fundamentally a theological question. This is true in a very special way of the problem of Natural Law in its relation to political theory.

The reformers of the sixteenth century were all affected by the Lutheran conception of Nature as radically depraved through original sin. For Luther, human nature was fundamentally corrupt and the works of man were therefore necessarily sins. In his writings on human liberty, he was not thinking of the liberty of the individual as opposed to the coercion of any form of government; he was far more concerned with the escape from that interior necessity which makes the will of fallen man the slave of sin.

The same was true of Calvin. As for Luther, so for him, there could be no merely natural goodness. God's decree of predestination settled whether a man had the sinfulness of his actions reputed to him or not.

The strange thing about these reformers was that although they gave divine authority to the temporal rulers, their followers, and particularly the Calvinists, became a revolutionary and subversive element in all those countries where they were a minority. The liberty of the children of God was, in their minds, not subject to the control of an earthly king.

As Catholic thought began to recover itself after the first shock of the Reformation, the question of nature and grace necessarily came into prominence. From the time of St Thomas and afterwards, theologians had discussed the possibility of a "state of pure nature"—the condition of man which might have obtained had he been born without being raised to a supernatural destiny, without the preternatural prerogatives which accompanied this elevation, and, of course, without the stain of original sin. In such a state, had it ever existed, man

would have exhibited exactly those characteristics which arise from the union of an intellectual soul with a corruptible body, and no more.

In the second half of the sixteenth century an important change of emphasis took place in Catholic theology. In 1566 Michael du Bay, better known in our history books as Michael Baius, published a series of studies dealing with the problems of Grace, Merit and Justification. In these he denied flatly even the possibility of a state of "pure nature". He declared that the state of innocence in which Adam existed before the Fall was "natural" to man; and as a consequence he had to admit that the present state of fallen humanity is "unnatural". The nature of man has been radically vitiated. Original sin is "concupiscence". In this teaching Baius came very close to the Lutheran conception of the total depravity of human nature. He taught, for example, that without Faith all the works of man are sinful. There is, in consequence, no such thing as purely natural goodness.

Against this teaching, the Dominican theologians rose in defence of St Thomas and the traditional scholastic doctrine. The Jesuits also levelled their criticisms at Baius, but their position was somewhat different.

Luis de Molina, who in 1588 published his *Concordia Liberi Arbitrii Cum Gratiae Donis*, gave a systematic account of the various "states" of nature. His purpose was to discuss man's capacity for good, his freedom and the conditions under which he could perform supernatural acts in the present state of his fallen nature. Thus he inevitably emphasized against Baius the possibility of moral goodness in the purely natural order. He held that the human intellect and will in the state of fallen nature are *in se* identical with those which man would have possessed had he been created and remained in the state of pure nature. The powers of his faculties have been decreased or blunted by original sin, but they are not radically vitiated.

The theological discussion which followed and the interminable arguments surrounding the Congregation *De Auxiliis* need not be dwelt on here.¹ Inevitably there were exaggera-

¹ See Pastor, *History of the Popes*, Vol. XXV, pp. 229-52.

tions on both sides; and equally inevitably, as the seventeenth century unfolded and the Jansenist controversy began to develop, the orthodox writers and theologians began to emphasize, perhaps more than was wise, and even to exaggerate, the fundamental goodness of human nature. On this point the Jesuits especially were the object of sustained attacks by the Jansenists. They were accused of distorting Christianity and of making it little better than a good alternative to natural religion. They were accused of representing natural goodness and the natural way of life as so right and pleasing to God that they did away with the necessity of the supernatural and of Revelation.

There is no doubt that orthodox Catholic teaching did pass through a very definite change of emphasis between the fifteenth and the seventeenth centuries. The difference is obvious in a comparison between, for example, the *Imitation of Christ* and the *Introduction to the Devout Life*. What has perhaps not been so fully realized is that this change of emphasis in spirituality had also an inestimable influence on the trend of political thought. The opponents of Jansenism became, almost by necessity, the defenders of the goodness of human nature; with the inevitable implication that whatever is natural must also be good.

In spite of the attempt to secure the condemnation of Molinism in 1607, a great deal of Catholic teaching seems steadily to have moved in his direction. The one-sided use of St Augustine's writings made by the Reformers had led to a distortion of his doctrine in the direction of pessimism, and one of the trends of thought in the seventeenth century was a salutary reaction in favour of the goodness of human nature as such. This vindication of man's natural goodness needed, of course, to be balanced by an insistence on the necessity of Grace in order to restore human nature to that supernatural setting in which alone God intended that it should operate. It is interesting, in fact, to notice that the condemnations of the Quietist Molinos, a century later, emphasized the fact that natural activity is not the enemy of grace, nor is it a hindrance to true perfection. During the seventeenth century, orthodox teaching, in rejecting the Jansenist conception of a depraved human nature, reacted

in the direction of seeking not to replace but to develop and perfect the natural goodness that is found in man.

This doctrine fitted well enough into the humanist stream which had its source in the Renaissance, and it is not surprising that it was used by those who equated the supernatural with the superstitious in support of that secularist naturalism which, with the *philosophes*, became such a dominant idea in the eighteenth century.

It is against this background of changing ideas that we should consider the meanings given to "nature" and "natural" in the political thought of the eighteenth and nineteenth centuries. These words, like so many others, have been used in political and moral discussion as though they settled controversies rather than provoked them by their ambiguity. Long ago, Professor D. G. Ritchie showed in a brilliant page how confusing these terms could be: "Slavery has been condemned as an 'unnatural' institution: and has been defended on the ground of the 'natural' inferiority of some races to others. The equality of the sexes is asserted and denied on the ground of 'nature'. The 'natural' goodness and the 'natural' badness of mankind have been maintained with like earnestness and sincerity. 'To live according to Nature' was the Stoic formula for the good life; those Christian theologians, who have in some ways most intellectual and moral affinity with the Stoics, have been those who have spoken most strongly about the corruption of 'the natural man'. 'Natural religion' means something very different from 'Nature-worship'. 'A natural child' means a child born out of wedlock; but 'an unnatural child' is not necessarily legitimate. 'A state of nature' may mean the absence of clothing; but such absence is not considered essential to the possession of 'a natural manner' in society. To the sentiment that 'Nature is a holy thing' may always be opposed the proposition that 'Nature is a rum 'un', and, in view of the ambiguity of the term, the theory of Mr Squeers is perhaps the more easily defensible of the two."¹

In a former paper in these pages an attempt was made to trace the theory of natural law from early Greek times up to the Reformation. And something was said of St Thomas's con-

¹ *Natural Rights* (1895), by D. G. Ritchie. Chap. 11, p. 20.

ception of the relation of natural law to the eternal law of God and to the whole ordering of the universe.¹

This conception was carried over into the seventeenth century by Richard Hooker and finds some place in the writings of John Locke. But in a general way it began to fade into the background of political thought. A new notion, that of the "state of nature", began to come into prominence. For Hobbes, this "state of nature" was a primitive state of hostility among individuals provoked by the natural desire of self-preservation. Society grew up from a compact among men who saw in some form of association the only way to security. Locke, who wished to justify the English Revolution, would not accept the suggestion of Hobbes that all revolution is a return to a state of nature, which was the equivalent to a state of anarchy. For him the state of nature had some, at least, of the characteristics of a social state though scarcely a political one, and hence was subject to certain laws. In this way the confusion began to grow between "natural" and "primitive", which merged into the vague conception of an earlier golden age such as had been thought of by the Latin and Greek poets. Pope's lines are well known and they represent the attitude of mind which made possible the developments of the eighteenth century:

Nor think in nature's state they blindly trod;
The state of nature was the reign of God:
Self-love and social at her birth began,
Union the bond of all things and of man.
Pride then was not, nor arts that pride to aid;
Man walk'd with beast, joint tenant of the shade;
The same his table, and the same his bed;
No murder cloath'd him, and no murder fed.

With this idealist view went another—the new scientific view of nature. An American student of the period, Professor Carl L. Becker, has put the position neatly as follows: "Newton did not doubt that the heavens declare the glory of God: but he was concerned to find out, by looking through a telescope and doing a sum in mathematics, precisely how they managed

¹ "Natural Law and the Reformation", *THE CLERGY REVIEW*, August 1941. See especially *Sum. Theol.*, Ia, IIae., q. 94, a. 2.

it. He discovered that every particle of matter, whether in the heavens or elsewhere, behaved as if it attracted every other particle with a force proportional to the product of the masses and inversely proportional to the square of the distance. This was a new kind of 'law of nature'.¹

Natural law thus tended to be thought of as the common way in which common things behave. Newton, men thought, had banished mystery from the world. The universe could be explained by reason. The Newtonian atmosphere was created, was popularized, and the methods of science began to be applied to philosophy and to the fundamental human problems. God was denatured and nature deified.²

Dr Fulton Sheen has put it no less neatly: "Newton dragged God into his universe to account for two irregularities which he could not fit into his law: namely, why certain fixed stars did not fall and why certain orbs revolving in different orbits did not collide. God thus became a handy explanation to account for irregularities which science could not yet describe, a dignified cosmic plumber going about mending the leaks in a Newtonian universe."³

On top of this came Locke, whose *Essay Concerning Human Understanding* has been described as "the psychological gospel of the eighteenth century". Locke's attack upon innate ideas meant that man's thought and ideas were conditioned uniquely by his environment. The mind of man was shaped by nature; and by the use of his natural reason man could bring his life, society and human institutions into harmony with the universal natural order.

All this was done not with a cold, hard, logical system of thought, cynical of superstition and bent on testing every proposition at the bar of reason, but with a burning and ingenuous enthusiasm which has rightly been referred to as a

¹ *The Heavenly City of the Eighteenth-Century Philosophers* (Yale University Press),

p. 57.

² "Obviously the disciples of the Newtonian philosophy had not ceased to worship. They had only given another form and a new name to the object of worship: having denatured God, they deified nature. They could, therefore, without self-consciousness, and with only a slight emendation in the sacred text, repeat the cry of the psalmist: 'I will lift up mine eyes to Nature from whence cometh my help!'" Becker, op. cit., p. 63.

³ *Freedom Under God*, p. 3.

faith. "What indeed (the question stares us in the face) was this enlightened eighteenth century doing, what significance had it in the world anyway if not just this: that with earnest purpose, with endless argument and impassioned propaganda and a few not unhappy tears shed in anticipation of posterity's gratitude, it devoted all its energies to sketching the most naively simple project ever seen for making dukes and peers useful, for opening all roads available to the pursuit of happiness, for securing the blessings of liberty, equality, and fraternity to all mankind? Maybe this project was less futile than those of the Abbé de Saint-Pierre, maybe it only seems so; but it was at all events inspired by the same ideal—the Christian ideal of service, the humanitarian impulse to set things right."¹

The result of this revolution in human thought was the emergence of Natural Man. He was to possess what Hume called "the constant and universal principles of human nature". There was no longer need for anything which savoured of the supernatural. "Superstition" could be mocked at; man could be known and legislated for by a severe and sober study of the facts of human existence. The laws of human life and conduct could be found by empirical research; and they would be as true as the laws of physics or mathematics. This Natural Man needed no heaven and no future destiny. His lot was in this life. He could make perfect the good life on this earth. Original sin evaporated and was forgotten. The new creed of Naturalism took shape and a new religion of abstraction was brought into being. Instead of the love of God, men substituted the love of humanity. Instead of the Fall and the Atonement they substituted the perfectibility of man by his own efforts; and for personal immortality they offered the Natural Man the hope of living in the memory of posterity.

F. J. Sheed has pointed out how the modern materialist, by a piece of intellectual sleight-of-hand, has made himself appear as the plain blunt man; while the defender of the spiritual element in man is made to appear as a fantastic and superstitious crank. In fact, the reverse is the case. For the materialist is

¹ Becker, *op. cit.*, pp. 40-1. On the question of the ingenuous optimism of the *Philosophes* see also R. R. Palmer, *Catholics and Unbelievers in Eighteenth-Century France*.

perpetually faced with the dilemma of either admitting that a material agent performs non-material operations such as thinking; or that, despite all the evidence to the contrary, thought can be reduced to a function of matter. In a similar way the naturalists were driven to a problem which they have never solved; and which has grown more acute today than it was in the optimistic days of the eighteenth and nineteenth centuries. The "natural" for them was both actual and ideal; and the children of the Enlightenment could never make up their minds in what sense they were using the word. The "natural" might mean the "what-is" or the "what-ought-to-be". And almost always these were irreconcilable.

The incoherence of this whole system of thought is seen most clearly in the new doctrine of Natural Law and Natural Rights which emerged from the eighteenth century. The Catholic conception of Natural Law had been clearly stated by St Thomas. It was teleological in its conception of Nature, divine in its source, and normative in its relation to human conduct. The rights of man flowed from their relationship with God, and were derived from the fact that man was created as part of a universal order and with a final purpose.

This was all upset by the philosophers of the Enlightenment. To them Natural Law came to mean the unchanging reaction of nature and of natural phenomena discovered by empirical study. Yet added to this idea and in fundamental contradiction to it was the retention of the remnant of the Catholic idea that law must be a rule of conduct. In its relation to men the Natural Law of the Enlightenment continued to be normative and, at bottom, religious. But the Enlightenment separated it from religion and from God, and so made nonsense of it.

An American historian has rightly underlined the conclusion: "The whole of the theory of natural rights had been a fabric carelessly cut from the cloth of Christian social thought, and its loosely-bound threads unravelled swiftly with changing years. By the men of the Enlightenment natural rights—the inalienable rights of the individual—had been regarded as a conception virtually antithetical to the idea of popular sovereignty—the absolute sovereignty of the majority. To secure

the latter seemed to mean placing the former in serious jeopardy, and, unless he was to accept Rousseau's doctrine that an individual could be forced to be free, the Enlightened thinker upheld one dictum to the exclusion of the other. But the average nineteenth-century thinker perceived no such distinction, or at least tried to compromise with both by predicating that system of government which he called democracy upon both absolute popular sovereignty and individual or minority rights. That political tension, confusion, and contradiction should ensue was logical and inevitable."¹

These were the "Natural Rights" which Jeremy Bentham derided, quite justly, as nonsense. "Natural Rights," he wrote, "is simple nonsense, natural and imprescriptible rights rhetorical nonsense—nonsense upon stilts."²

For a time the historical school of jurisprudence tried to defend the idea of natural rights and a higher law, not by postulating an ideal abstract natural law, but by an attempt to find the nature of the law of a given people and the rights recognized by this law in the social history and the legal institutions of the race. They maintained the idea of natural rights but looked for them in a different direction.

The scientific or "biological" school, however, which, under the influence of Darwinism, came into prominence in the latter

¹ *The Church and the Liberal Society*, by E. J. Hughes, pp. 149-50.

² The French jurist, Alfred Fouillée, in his book *L'Idée Moderne du Droit*, published in 1878, made a most telling attack on this natural-law school. "Nothing which can be valued mathematically can be equivalent to the idea of rights as expressed by the philosophy which sprang from the French Revolution—rights which, if they exist at all, are absolute, and superior to any quantitative measurement, but which it nevertheless calls *natural*. If we could be sure that we had by nature a right of this description within us, we should be sure that we bore within our consciences a power incommensurable with any other, and which could find its counterpoise only in another right naturally equal to itself. . . . To raise the actual *nature* of man above all possible comparison with any forces or interests however great, is to attribute to him nothing less than a kind of real infinity; but infinity is to us an idea, not a reality of experience observable in the order of nature. To confer upon man, in the name of his nature, unconditional independence and inviolability so long as his will does not encroach upon that of others, is rightly or wrongly to give him a character of the absolute; but again, the absolute is to us not a natural reality, but an idea. Moreover, to have a genuine natural right, man must be not only an end but also, as Auguste Comte saw very clearly, a self-acting *cause*." Translated in *Modern French Legal Philosophy*, pp. 165-6. Fouillée was in fact saying what Catholic philosophers have always said about natural rights of this kind. When divorced from their divine origin they distort the nature of both man himself and God, by turning man into a little god. They "denature God and deify man".

part of the nineteenth century, drove out both the philosophical and the historical conceptions. The natural order became more and more thought of as a biological organism and individual man as a small and helpless animal at the mercy of the cosmic forces about him. This so-called scientific attitude to social phenomena prepared the way for positivism which dominated the teaching of jurisprudence in the second half of the nineteenth century. This school of thought despised what it called metaphysics and maintained that the empirical method and the establishment of so-called "positive" facts was the only process of knowledge. Consequently the law of nature became merely the observed persistence of pattern in the observed succession of natural things. Law in fact was reduced to a description of what happens; and what happens does so independently of individual will or desire. The course of events is determined, and in consequence the key-note of law is compulsion.

The wheel has, so to speak, swung round full circle and we are back again to a concept of society not unlike the concept of physical nature produced by the theories of Newton. The Newtonian theory that all reality could be reduced to an arrangement of atoms seemed to work so well in the physical world as to justify its application to human beings and human society. This necessarily meant an atomistic and, so to speak, an arithmetical view of society. Men as men were identical. And in consequence were fundamentally equal. Yet this apparently democratic theory became, in fact, an instrument to be used against any advantage of any kind which any individual might possess. It has meant, in fact, that the individual as an individual has tended to become insignificant. He remains abstract and non-effective, and if, in this theory, it is asked why we should obey the moral law, there is no answer except a vague and empty respect, not for the individual person but for the "humanity" of which the person is merely one particular example. In countries like Germany and Russia this "humanity" became concentrated in a single person, the Leader or Dictator. In the Western countries the expression of this "humanity" has been achieved through a popular majority. As a modern American student has put it, quantitative thinking has triumphed

and the will of the majority has become the source of law. "But there is no assurance that the will of the majority, popular or legislative, would always be right or just, unless the determination of rightness and justness was thought to be simply a matter of counting heads. What happened was that rightness and justness were abandoned as criteria of law; procedure and the manner of enactment, the source rather than the content of law, were substituted for justice as criteria of law."¹

There has been in the recent past a reaction away from this positivist conception of society and an attempt to re-state a doctrine of natural law and natural rights. The chief exponents of these views have been the Frenchmen Léon Duguit and Maurice Hauriou; but these attempts suffer from the lack of a solid basis upon which to establish natural rights. They fall inevitably, therefore, into the exaggeration of making man of absolute value, and consequently into one of the initial errors of the philosophical natural-law school. The only escape from this error, or its alternative of a higher law divorced from its lawgiver, lies in a return to the sane and balanced conception of man and human society as creatures of God and subject to His wise ordering of creation. The Catholic concept of natural law is based on the twin notions of order and purpose in the universe. It supposes, of course, the aid of supernatural Grace to enable man to attain the end to which in fact God has destined him; but its conception and action remain within the framework of the natural order which man can perceive by the use of his reason and which depends, in the last analysis, on accepting the truth that the world has a Maker and that the order of creation supposes an initial Wisdom.

ANDREW BECK, A.A.

¹ John H. Hallowell, *The Decline of Liberalism as an Ideology*, Kegan Paul (1946), p. 54.

"GOOD MASTER BONVISI"

OF all the numerous friends and admirers who delighted in Saint Thomas More's company it was to the "good and gracious right woorshipfull merchant Master Anthony Bonvisi" that the saint's final message of farewell was addressed; and a short time before his Trial, having no pen or ink, he wrote with a coal to his friend "of all friends most trusty, and to me most dearly beloved, and as I was wont to call you the apple of mine eye. . . ." It is the belief that the life and character of Anthony Bonvisi can add something to our knowledge of the life and times of Saint Thomas More that has prompted this study of his "dear friend, and of all mortal men most dearest".

Anthony Bonvisi belonged to an ancient Lucchese family tracing descent from a councillor of the Emperor Otto III. At some time in its history the family turned to banking and commerce, making business connexions throughout Europe, and with the other merchants of Lucca spreading devotion to the Holy Rood of their native city. Business brought a branch of the family to England, where Anthony was born some time between the years 1470 and 1475.¹ His boyhood was spent in London and it was there, when he seems to have been already established in business, that he first met Thomas More, then recently admitted to Lincoln's Inn. More was then nineteen or twenty years old; Bonvisi, somewhat older, was able to entertain the young student, so that he became, as he recalled in his farewell letter, "not a guest but a continual nursing" in the merchant's house. While More, under his friend Lily, progressed in Greek and became a member of Parliament, Anthony was extending the family business still further by the introduction of a new system

¹ The name of only one member of the Bonvisi family who might have been Anthony's father has survived. Embroidered on the "Lucca Vestment", preserved at Stonyhurst College, is the request: "Orate pro anima Ludovici Bonvisi". Experts have assigned an English origin to this work and have given the second half of the fifteenth century as its date. The Louis Bonvisi whose devotion to the Holy Rood of Lucca and to the Saints of his adopted country is enshrined in this vestment may have been Anthony's father.

Two of Anthony's brothers can be named with certainty: Nicholas, described as a merchant, and Martin. Two other members of the family who figure prominently are Jerome Bonvisi, protonotary Apostolic and later Ambassador to England of Pope Julius II, and Lawrence, his "scamp of a brother", as the Bishop of Worcester once called him.

of spinning into the Devonshire cloth trade. By 1513 he had become a figure of note, dealing extensively in jewels and fine cloths and numbering Cardinal Wolsey among his clients. His banking connexions, too, were important, for among his other business he acted as Proctor-General for Silvestro Gigli, Bishop of Worcester, a fellow citizen of Lucca and the English Government's personal agent at the Papal Court.

Another acquaintance of Bonvisi's early business years was the son of a beer-house keeper in Putney, Thomas Cromwell, who drifted to Italy as a young man and was befriended by the Friscobaldi, a wealthy family of bankers. Later, an interesting sidelight on his future career, before being employed by a company of merchants in the Low Countries, he met and charmed Pope Julius II "with a gift of jellies made in the English style". Professor Brewer thought that Bonvisi had been his employer, but there does not seem to be enough evidence to show that; Cromwell, however, in his wanderings through Europe, might have done business with some of the family, for they had branches in the Low Countries and in France as well as in London and in Lucca.¹ In later life Anthony used to contrast More with Cromwell, finding in the latter the complete antithesis of his friend's loving disposition and recalling "many notable and as yet commonly unknown things, and of their farre-squaring, unlike and disagreeable natures, dispositions, sayings and doings".

Business and banking were, however, only part of Anthony's occupations, for in his dealings with his friend he is revealed as a student and a scholar,² interested in literature and giving much thought to the religious problems of the times. It was a visit to Antwerp that More made in 1515 that caused him to set his meeting with Raphael Hythlodaye against the background of that wealthy and busy port. Passages in *Utopia* seem

¹ Thus in 1509 the House of Bonvisi in London sent the first news of Henry VII's death to the Bonvisi bank in Lucca.

² More's interest in John Picus, Earl of Mirandula, has been attributed either to Bonvisi or to Colet. Certainly the connexion between Picus and Savanarola and between Savanarola and Colet strengthens the latter's claim; but Anthony's ties with Italy were very strong, so the honour may be his. Another possibility seems so far to have escaped attention: about the time More was translating his "Life", he had living with him another citizen of Lucca, Andrew Ammonio, later to be Henry VIII's Latin Secretary, who may have introduced him to the Earl of Mirandula.

to have been written with the memory of his friend fresh in his mind. More must have smiled to himself, picturing Anthony's dealings with the Cardinal; for the Utopians "marveyle that any men be so folyshe as to have delite and pleasure in the doubtful glisteringe of a lytil tryffelynge stone . . . or that anye man is so madde as to count himself the nobler for the smaller or fyner threde of wolles, which selfe same wol, be it now in never so fyne a sponne threde, a shepe did once weare; and yet was she all the time no other thyng than a shepe". And the banker too would have appreciated their business acumen: "nowe therfore they care not whether they sell for readye money or else upon truste to be payed at a daye, and to have the mooste parts in debtes. But in so doing they never follow the credence of privat men, but the assurance or warrantise of the whole cite."

Anthony was delighted with *Utopia*, but More, who modestly sought to disclaim the praise lavished on it, wrote to him:¹ "that you think in this wise of me cometh, I doubt not, the more of your affection than of your wit. For love full oft, when it lie deep, cloudeth a man's thought in darkness, as I now see hath befallen you, and mostly in that my *Utopia* doth you so great pleasure; the which book I verily think full worth that it lie hid even in its own isle."

But we know from More himself that Anthony was quite capable of assessing learning at its true value, for in a letter to Dorp he has left us a description of a dinner-time controversy between his friend and an argumentative monk. He was much amused at the way Anthony led the monk on to betray his own ignorance; the argument was scriptural and Anthony kept inventing texts to support his contention; "if there were only sixteen chapters in the book," More writes, "he would quote from the twentieth". The poor would-be theologian, nothing daunted, explained the texts according to the very best commentators. Anthony for his part has described how More at table used to "wonderfull deeply and clarkely talke with

¹ This letter of More's, addressed "ad Antonium quendam", is given by Stapleton in his "Tres Thomae", Cologne, 1612. In Miss E. F. Rogers' catalogue of More's letters, *English Historical Review*, Vol. XXXVII, p. 549, it is suggested that Bonvisi was the Anthony in question. The circumstances seem to make this so probable as to justify the letter's inclusion here. It has not appeared, as far as can be ascertained, in the modern standard biographies of More.

learned men as well englishe as of other countries". Once a foreign religious seems to have been airing the novelties of the new theology in More's company; but he, says Bonvisi, "sette in a foote and coped with the saide stranger which was muche astonied and abashed to have such profounde reasons at a laye mans hande".

If the Chancellorship and the friendship of the King mark the summit of More's worldly success, Anthony too enjoyed a similar period of increased prosperity and power. In 1524 he purchased from More the lease of Crosby Place, furnishing it with the splendour that befitted a merchant-prince. In the official records of the times his name is linked with people of importance; the Treasurer of the Chamber asking him to advance the Ambassador in Rome, Gregory de Cassales, "for his diets 40s. a day" and to the protonotary at Venice "for his diets 13s. 4d. a day". When business led him into a dispute in Rome the King himself wrote to Cardinal Campeggio asking him to intervene on Anthony's behalf and to prevent the case going to the Apostolic Camera, where his rivals had an unfair advantage. His Eminence replied that he had obtained a hearing from the Pope and eventually the case was settled in his favour. Meanwhile, through his business houses in Italy, France and the Low Countries, he was able to collect and pass on to the Government first-hand news of events in a topsy-turvy Europe. In March 1528 Stephen Vaughan, one of Cromwell's agents, was able to send his master news of the French invasion of Naples that he had heard from Bonvisi.

A conversation between More and Anthony, some time in 1524, became the means by which the Saint clarified his thoughts on the Primacy of the Pope and confirmed him in his belief "which", says his biographer Harpsfield, who recounts the incident, "was so fixed in his heart that for the defence of the same he willingly afterwards suffered death". They had been discussing heresy, and More expressed his greatest anxiety concerning what he held to be the "perverse opinion touching the Sacrament of the altar"; attacks on the Papal Supremacy, a human ordinance "for the mere quietness of the ecclesiastical body", did not seem to be of so great an importance. Immediately More felt that this "sudden and first answer" was wrong

and he urged Anthony to return in a few days for a more considered opinion. He did so, to find his friend full of self-reproach: "Alas Mr Bonvisi! whither was I falling when I made you that answer of the primacy of the Church? I assure you, that opinion alone was enough to make me fall from the rest, for that holdeth up all." But for the time it was not a question of the Primacy of Peter but of the ascendancy of Ann. Anthony's opinion of her is reflected in a reminiscence that Harpsfield has preserved in his "Treatise on Marriage", where he recalls that he heard Anthony relate how Wyatt warned Henry not to marry Ann, alleging as his reason that "her conversation hath been so loose and base". The King's reply is illuminating: "Wyatt, thou hast done like an honest man, yet I charge thee to make no more words of this to any man living." Still more plainly is Anthony's attitude to the "King's Matter" made clear by the help he gave to Friar Peto, who, while preaching before the King on Easter Sunday, 1532, solemnly warned him of the fate in store for him if he persisted in his intention. Peto was imprisoned for his outspokenness but succeeded in escaping to the Continent, arriving in Antwerp early in 1533. Stephen Vaughan duly reported from there that the merchant's chaplain had been asked to take ten pounds from Mr Bonvisi to Peto, but had, of course, refused to do so.

More was committed to the Tower in April 1534, and in the following month Anthony had licence from the King "to pass beyond the sea with five servants, six horses and one hundred crowns of the sunne". If he did go his absence was only a short one, for the care and devotion lavished by him on his friend and the Bishop of Rochester during their imprisonment was certainly not vicarious. "Few men," wrote More to him from the Tower, "so fawn on their fortunate friends as you favour, love, foster and honour me, now overthrown, abjected, afflicted and condemned to prison"; the examinations of their servants give an idea of how Anthony loved and cared for these two saintly men. Thus Richard Wilson, the Bishop's servant, mentions that Anthony sent his master a quart of French wine every day and three or four jellies; and that in return the Bishop once sent a pot of conserve, which he returned, however, "saying that Fisher had more need of it than he". Another time letters were

exchanged between them about the Bishop's health; Anthony consulted Mr Clement, the husband of More's adopted daughter, who diagnosed a diseased liver and "recommended goat's milk and other things". Similar instances occur of his kindness to More, but in his case Anthony could do more than relieve the temporal wants of his friend. For More himself has explained it as well as any words can: "I cannot otherwise take it nor reckon it, but that it was ordained by the great mercy of God, that you Good Master Bonvisi amongst my poor friends, such a man as you and so great a friend, should be long afore provided, that should by your consolation assuage and relieve a great part of these troubles and griefs of mine." More was able to assess his position at its true value and put it before his friend in words that would come home to him with greater vividness later: "God grant both you and me Good Mr Bonvisi and all mortal men everywhere, to set at naught all the riches of this world, with all the glory of it, and the pleasure of this life also, for the love and desire of that joy (of heaven)." For the time was coming when the two of them were to part, but God would one day bring them both "from this wretched and stormy world, into His rest, where weshall need no letters, where no walls shall dis sever us, where no porter shall keep us from talking together. . . ."

One final gift passed between them, a silk camlet gown that Anthony sent for his friend's last journey. He died on 6 July, 1535, promising his friends that "he would pray for them elsewhere". If Anthony was present at the execution he has preserved the memory of it to himself; possibly he was not in England at the time, as he certainly spent the later part of that year and most of the next in Lyons and in Lucca and other parts of North Italy. A series of important letters describing the tangled political situation and the rumours that pervaded Europe, written in Italian, and addressed by Anthony to Cromwell, still formed the Government's main source of news. Cromwell replied, expressing his gratitude and the thanks of the King for the valuable information received, but Anthony had his own opinions about Cromwell and the value to be attached to the expressions of Henry's affection.

The closing years of Henry's reign must have increased the

disquiet that Anthony felt at the trend of Religion in England, but it was left to events in the reign of the boy King to bring home to him the lesson that his friend had taught him by his personal example and which he expressed in his "Dialogue of Comfort against Tribulation": "what unkindness it were if we would not forsake our worldly goods for Christes sake, than unfaythfullye forsake Christe for theym". The opening of the new reign was quiet enough. True, the Privy Council was kept unduly busy by the pillage of a Spanish ship, *The Trinity*, laden with merchandise belonging to Anthony. The Admirals at Southampton and elsewhere were repeatedly ordered to bring the culprits to justice, and the event, if not large on the broad canvas of the times, does at least indicate the position still occupied by Anthony and the respect he could command. This was in 1546; but in the following year his name occurs in connexion with the Government's religious policy. The Bishop of Winchester was accused of having criticized the changes in religion; the accusation stated that it was "sitting afore the dore of Anthonie Bonvesie that he had said there was both treason and heresy in the Kynge's Majesties Homilies". For the first three years of the reign Anthony and the Catholics of London seem to have been able to practise their religion under a kind of protection that Bishop Bonner exercised on their behalf, but 9 June, 1549, marks the end of this period of comparative calm; for the issue of the First Prayer Book and its universal use prescribed by an Act of Uniformity aimed at stamping out the Old Religion. The choice for Anthony, and for so many others, was between conformity to the new style of worship or exile; the old merchant, now (at least) in his seventy-fourth year, decided to leave the country, and, in the words of his friend, which he must have recalled so vividly, "to set at nought all the riches of this world, with all the glory of it, and the pleasures of this life also". "A great merchant," writes Nicholas Sanders, "great not only for his wealth, but much more so in his reputation as a man of integrity and honour, seeing even the traces of the Catholic Faith being removed from England, went to live in the University of Louvain, not indeed to carry on his business as a merchant of this world, but to attend to the business of the next."

Anthony left England in September; Dr Clement had preceded him in July and Margaret Clement and the Rastalls followed before the end of the year. Louvain was to become “the nearest harbour of the faith to which Englishmen driven out for the faith might run to refuge”; and in Louvain Anthony’s house became the sanctuary of Saint Thomas More’s relations and friends, including, besides those mentioned, Nicholas Harpsfield, the Saint’s biographer. Anthony would often talk to them about More, giving, as Harpsfield acknowledges, many details of his friend’s life which the biographer failed to preserve. The memory of More must have pervaded that household in Louvain where his dearest friend, surrounded by those he had loved so much, would recount again and again, as old men do, incidents and stories of the past. Another martyr, John Storey, was among those he “gathered around him and comforted” in that time of exile. Did the future martyr foresee, somehow, his end and in some way anticipate its arrival? It would seem so, for otherwise why should he choose the old man “overseer” of his will; “most heartily desiring him to be a good instructor to my wife, to keep and perform her promise made to God and me”?

That the old man was regarded as a leader among the exiled Catholics is shown from the actions of his enemies who, in 1553 especially excluded him, together with Cardinal Pole, John Storey and others of his household in Louvain, from the general pardon that was offered. With the accession of Mary his property in England was restored to him, but he was probably too old to return again to his adopted country. When the kingdom was reconciled to the Church, Cardinal Pole, speaking to an audience of Londoners, paid a tribute to Anthony which has testified to his worth from that time to the present: “(There is) as a special benefactor to all Catholic and good persons, whom I will not leave unnamed, for worthy is he of name; it is Anthony Bonvisi, whom I think you all know, dwelling from his youth up among you, being now a very old man.”

He died at Louvain on 7 December, 1558. The Cardinal had said of him “I doubt not but his name is in the Book of Life.”

C. DESMOND FORD, S.J.

THE CARE OF HOMELESS CHILDREN

THE care of homeless children has been a task of the Church from Apostolic times. Our Lord commanded St Peter to feed His lambs and his successors have never forgotten the injunction. Many religious orders have been founded with the sole object of educating and caring for children and meeting the needs of every type of child. We remember with gratitude the Ursulines established in the thirteenth century, whose founder gave her order a constitution that enabled its members to adapt their teaching to the needs of every generation to the present time.

The Benedictines were responsible for the training and care of English youth throughout the Middle Ages. In modern times many religious orders have striven to care for the children who suffered so greatly from man's inhumanity to man. When English children were enslaved by the wealthy and respectable members of the community who sought to build up fortunes from the labour of infants, the Catholic Church encouraged the men and women who gave up wealth and position in order to care for the fatherless and the orphans. When the children of England were serving savage sentences, or suffering the death penalty for petty thieving, St John Bosco was taking young prisoners from the prison of Turin for a picnic. The Salesian Congregation founded by him has since been responsible for the care and education of many English children.

Today the non-Catholic people of England have realized that every child has a right to care and affection. Public opinion has long been disturbed by the fate of children herded together in Institutions or placed in unsuitable foster homes; children deprived of the love, the happiness and the opportunities given so abundantly to other children. A Committee known as the Curtis Committee was set up to report on the care of the homeless child, and the Government will be asked to act upon this report in order to right the wrongs that homeless children have suffered and ensure that they shall be enabled to live happily in the future. The members of the Curtis Committee visited many Catholic Children's

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Homes and made certain criticisms as well as meting out some praise.

Catholics will be anxious to act upon the suggestions of the Committee even though the necessary improvements will cost money and thought. Before considering the needs of the homeless child, it may be helpful to think about the needs of all children and how these are fulfilled in the family group.

THE FAMILY

Our Lord chose to be born into a humble family and in so doing He sanctified family life and set His seal on the value of the family group. Catholic families look to the Holy Family for inspiration ; St Joseph is the example of the care that should be given by fathers to the family for which they are responsible. Mary is the perfect mother, and Jesus the child who grew in favour with God and man, the model of childlike obedience and affection. Today, when the value of the family is so little understood, when the State tends to be all and the individual nothing, the Church never ceases to uphold the rights of the family and the individuals of which the family group is composed.

The Family is composed of father, mother and children, and the parents' duty consists in caring for the children from their years of utter dependency through the storms and stresses of adolescence to the time of maturity when they are fitted to take their place in adult life. The parents must provide for all the child's physical needs, but they must do far more than this. They must provide for the child's education, they must teach him to know, love and serve God. They must provide for his emotional needs by giving him that love and security without which he is unlikely to grow into a normal being. The parents' training is given in love and through love. It is given by example more than by precept. The baby learns love in his mother's arms when she brings him warmth and nourishment. The toddler learns love from seeing it in actions, and the adolescent will not believe in love unless he sees it around him. Children learn the right pattern of human relationships

from seeing the relationship of the parents, from experiencing the love the parents feel for them. They learn the give-and-take, the sacrifices and the rewards of family life. They first understand the love of God the Father from experiencing the love of their own father. Mary is the Mother of the motherless, but children who know an earthly mother's love find it easier to reach out to the love of the Mother of all living. Earthly parents are not perfect and their children learn from their faults. The hasty-tempered father who is sorry for the unkind word to mother or child teaches repentance to his children. As they grow older children go with their parents to Confession. Parents rejoice when children receive Jesus at their first Holy Communion.

Children who are happy in their parents know that they are loved. They know that their well-being is a matter of the greatest importance. When they are sick they are comforted; when they are hurt they are consoled and when they are naughty they are punished, but they are still loved. They find justice and understanding. They have the security that comes from affection, from the knowledge that they belong to someone. They have their own place, their own home. They grow up in a stable environment and gain a sense of security. Anniversaries are kept, treats are given even in the poorest families. There are family jokes, family interests, hobbies and pets. The normal family group consists of children of all ages. The elder help the younger and take an immense pride in "our baby". The little ones look up to the elders and learn from them, and the quarrels that may arise between brothers and sisters are part of the training necessary for adult life. This family life is the birthright of every child, and this should be the possession of the Catholic child who is orphaned or homeless.

CATHOLIC PROVISION FOR HOMELESS CHILDREN

A study of the Directory of Catholic Homes in England for boys, girls and babies provides information that is unknown to many. In December 1945, 14,542 children were maintained

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in Catholic Institutions. These Institutions include Schools for mentally sub-normal boys and girls, Open Air Schools for delicate children, Remand Homes and Approved Schools and Hostels. Local Authorities are glad to make use of the Special Schools, which include some of the best in the country.

The Approved Schools and Hostels come under the inspection of the Home Office, and though there are many disappointments a great work is done in helping young delinquents to become good citizens. Homes for Mothers and Babies cater for the unmarried mothers and in many cases the Sisters in charge show a sympathy and understanding that may be lacking in the pious laywoman. Religious orders like the Good Shepherd nuns and the Sisters of Charity of St. Vincent de Paul have a tradition which enables them to deal successfully with the most difficult cases. The prayer and common sense of the Sisters work many miracles and the love and devotion that they give to their charges soften many a hardened heart.

There are many Orphanages and too often the children are moved from Home to Home according to their age, thus losing the stable background that is so essential to normal development. Too many Homes are called Orphanages, thereby labelling their inmates and setting them apart from normal children. While there are excellent Catholic Homes for physically defective children there are none for the maladjusted child, a type of child for whom the Local Education Authorities may seek accommodation and treatment. The Catholic child who suffers from severe emotional disturbance or pre-psychosis may well find himself in a non-Catholic School for maladjusted children where he is likely to lose his faith.

The Directory is a proof of the devoted work that is being done for Catholic children. But those who turn its pages in a frantic effort to find the solution for the problem child who needs readjustment or even the nearest possible approach to normal family life may not find the provision offered entirely satisfactory.

Philanthropists of the last century made little or no attempt to provide the fatherless and the orphan with substitute families. Catholic and non-Catholic children alike were herded together in large buildings that often suggest the prison rather

than the home. Boys and girls were separated and brought up apart. Children were placed together according to age groups and they were brought up by devoted men and women who had voluntarily renounced all family ties and who by the very nature of their vocation could not maintain normal family life. Brothers and sisters had to go to different orphanages, though if they were lucky they might meet occasionally. Children brought up in herds knew nothing of normal family life. They had no responsibilities; they could not help with younger brothers and sisters; they could not go out shopping for mother. They had few possessions and no place of their own in which to keep their treasures. Their play-rooms were not homely, and they slept in large dormitories. Orphans were usually educated "at home" and so they had no opportunity of mixing with other children. They were children without friends, without contacts with family life. At fourteen they went out to poorly-paid jobs, the girls as domestic servants and the boys into low-grade manual work.

All this has been greatly changed in the Orphanages and Homes under the management of bodies such as the Catholic Rescue Societies. Children have pretty clothes, good education and some freedom; good employment is found for them when they are ready for work, and if they show special aptitudes an effort is made to get them suitable training. In spite of great improvement much remains to be done and we cannot afford to be complacent about our care of homeless children.

THE FUTURE CARE OF CHILDREN

Most authorities seem agreed that Homes should be maintained under the cottage system. Cottages should house not more than eight children and these should be of varying ages and of both sexes. Each cottage should be in the care of a house mother and her assistant, who will be mothers to the children. Children should go out to the ordinary day schools. They should form contacts outside their homes like normal children. They should be able to visit their friends and receive

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visits from them. They should have their own possessions and the life of the cottage should be like the life of the best home.

This is the ideal but it is obvious that we cannot vacate the existing barrack-like buildings and set up cottage homes immediately. Neither could we staff such homes at present. Much can be done to improve existing conditions without any great additional expense.

A non-Catholic organization has already formed groups in its large Homes. Each group is in charge of its special Sister and has its own sitting-room. The same organization is already introducing small girls into its cottages for boys and little boys into the cottages of the girls. Such regrouping should be a possibility in many Orphanages and should do much to introduce the family spirit. It should be possible to give the children some share in decorating and caring for their own sitting-room, and curtained cubicles might turn dormitories into bedrooms.

One Catholic Home for girls did much in this direction. The older girls arranged the furniture in their sitting-room and made their own cushion-covers and table-runners. They had their meals at small tables decorated with flowers, and tea came not from urns but from teapots. The girls learnt to get tea and to wait upon one another. Another Catholic Home for older girls gave the girls a sense of home by the provision of some of the food they would regard as treats in their own homes.

There is a great need for Catholic Homes that will take in boys and girls. It is hard to lose parents and tragic when the loss of parents means the loss of brothers and sisters as well. It is unnatural that boys and girls should be brought up apart. The boy or girl who goes to boarding school comes home for a part of the year and in any case they spend their early years together.

It should be possible to establish Homes for boys and girls who would be educated separately, but live a normal family life together when they were at home. Such Homes could be run by married couples or by single laymen and -women. Boys and girls brought up together would be far better equipped to meet the conditions they must find in their working lives.

TRAINING

In the past Children's Homes have been largely staffed by men and women who have had no special training and sometimes no aptitude for the work. Too often people who have no particular liking for children have had the care of them. Catholics have rightly trusted to the devotion of the Religious who brought up their homeless children. A vocation for religion does not necessarily include a vocation for child care and a vocation or training for teaching or nursing does not qualify a man or woman to provide home life for children. It may be meritorious to do work that is uncongenial and for which one is unfitted, but it cannot be good for the child to be somebody's cross.

The care of children will call forth qualities of selflessness that will undoubtedly earn merit, but the child should not suffer for the sanctification of the adult. The child should not endure the austerities gladly chosen by Religious. The maternal instinct is inborn but there is a great deal that must be learnt by those who have the care of children. A knowledge of hygiene, dietetics and nursing is essential. But this is only a beginning. The adult in charge of children should know something of child psychology. He should know the possible causes of bed-wetting, pilfering, temper tantrums and the like, and the best methods of treatment. He should be able to recognize the nervous child who may be too docile and he should be ready to seek skilled help for problems that are beyond him.

The adult in charge of Children's Homes should understand the child's need of hobbies suitable to the ages of the children in his care. Above all he should be able to give the child that warm love that he needs; that quality of individual affection that helps him to develop his personality and his gifts. The good mother loves her child however naughty he may be, and her child knows that he is loved even when he is punished. The motherless child needs just the same kind of love, and the staff of the Children's Home must know how to supply it. Goodwill is the first essential in the care of children, but goodwill alone is not sufficient. Knowledge, aptitude, imagi-

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nation are essential if the homeless child is to be brought up happily.

The staff of a Catholic Children's Home will be anxious to bring up the children as good Catholics. They will not be content with rote knowledge of the Catechism, the regular performance of duties and enforced reception of the Sacraments. They will seek to make religion a vital reality for the child. For this kind of education they will need special training and they will never forget that children learn by example rather than by precept. The child who has been happy in a Catholic Home will be likely to remain faithful to his religion amid the temptations of the world. The child who looks back at his time in the Home with hatred and regret will doubt the love of God and will be likely to drop the religious practices that were forced upon him.

The child in a Home is a defenceless being and the men and women who care for such children need to examine their own motives. A love of power and sometimes even a desire to make others suffer can be hidden so deeply that it is not apparent to its possessor. These secret desires can make life a real hell for the sensitive and helpless child. It should be a very real part of the training to bring such desires into the light and make them apparent.

THE CATHOLIC HOME AND THE LAITY

In the past the laity have been too ready to leave the care of homeless children to Religious. They have listened to an annual sermon and contributed generously to the financial support of the Homes. It has not occurred to them that they could take a living interest in the children. In some cases Superiors have sent Christmas presents through the post to children in their Homes who get no parcels from outside. How much it would have helped them if they could have called upon lay people to befriend Mary or Billy, to visit them occasionally, to write to them and to send them presents. Many people could invite a homeless child to tea sometimes. Many could take a few into their homes for the holidays. Experience

has proved that where this has been done the response of the children has been surprising. It is so easy to criticize the work that is being done for children. People who live near an Orphanage will sometimes have sad observations to make upon the appearance, the clothing, or the lack of freedom of the children. It would be more difficult to help in improving their lot, but with a little effort it could be done. In most cases the Sisters or Brothers in charge would welcome genuine interest and be glad to accept offers of help from commonsense people. In the rare cases where all efforts to help are resisted the parish priest and the bishop's attention should be called to the matter. Lay busybodies could work havoc among the friendless children; but a body of men and women under the direction of the parish priest could do much to help them and the people responsible for their care.

Catholics are in the position to provide the best care for homeless children in this country. We have men and women with vocations who are working solely for the love of God and His children. They display enthusiasm and devotion that cannot be bought for high salaries, short hours or the best living conditions. It may be that the future will see the formation of a body of laymen and -women to staff homes for boys and girls living together in normal family life. It may be that existing Orders living as lay people will carry out this work.

The Catholic Church has divine inspiration. It has tradition and it can draw on the best thought on child care throughout the world. There is a danger that because we have so much we shall fall into complacency and close our minds to new ideas just because they are new.

The future will see many changes and there will be of necessity an urgent call for interest and money. There is little doubt that vocations will be forthcoming, that the laity will respond generously if consciences be awakened and if they see that in serving the homeless children they are taking part in Apostolic work that is most dear to the Sacred Heart of Jesus.

A CHILD-WELFARE OFFICER

PRIESTLY VIRTUES

IV. THE SPIRIT OF PRAYER

WHEREAS we priests are sometimes apt to forget the necessity of gentleness and humility, it would be difficult for us to accomplish our ministry for a period of time without being reminded to say our prayers. Our daily Mass, our Office, the anxieties of our work, the souls entrusted to our care, all these are voices begging us to put aside the needs of the moment and to turn our hearts towards our Master in confident supplication.

Yet, in spite of this, it is possible for us to neglect the spirit of prayer, that virtue *semper orandi* that we, as priests, should possess to an eminent degree. It is possible to spend our time begging relief from immediate worries while forgetting the great truth behind the psalms of our daily Office.

This truth is that prayer is first and foremost a manifestation of the three theological virtues. The spirit of prayer consists in a desire born of Faith, Hope and Charity. Like a flame, this desire is kindled by the prayers we say, but it is never allowed to die; it burns continually because, as he goes about his daily tasks, the priest has within him the constant urge to creep with his flock closer to God, the source of all happiness.

The preamble, as it were, to this urge is a feeling of utter desolation. The means that God takes to infuse this feeling are as varied, I suppose, as the ways of the priestly ministry. Experience shows they can take the form of a bombed church, an impenitent sinner, or a wretched blunder. In that beautiful letter 130 to Proba, St Augustine points out how discouraged the Apostles must have felt when they heard about the camel and the eye of a needle. It was only the feeling of hopelessness that could prepare them for the words that followed: "The things which are impossible with men are possible with God."¹ When we study the lives of saintly priests we realize how well they have been prepared for the graces God has chosen to bestow upon them. Whether it be St Peter, Blessed Robert

¹ Matt. xix, 21-6.

Southwell, or Cardinal Newman, we can follow the same process of purification.

It is this personal suffering that prepares a man to be good—that is, to be good in himself and to radiate goodness, “making everything good by using it well”. He fears evil because he knows it; he penetrates the heart of the sorrowful because, realizing the meaning of the word sympathy, he can suffer *with* people. Oscar Wilde has been blamed for much in his writings, but at least in his *De Profundis* he has well shown the relationship between a certain kind of suffering and the spirit of prayer.

But, strictly speaking, desolation is only a preamble to prayer, and while a pusillanimous temperament can take a certain morbid pleasure in it, the vigorous soul goes beyond in order to base his life on Faith. It is this that makes the spirit of prayer eminently supernatural. In certain phases of history such as the end of the sixteenth century or the period between the last two wars, one meets the “hollow men” school of poets, those who intensely experience the aimlessness of human endeavour, but whose eyes are turned towards the blackness of the cave. It is interesting to watch the Christian leaving the pagan behind as he passes from “l’inferno” to “il purgatorio” and finally to “il paradiso”. As in all these virtues, it is the Gospel that complements the work of human endeavour in surpassing it. St Augustine sums up:

“In the darkness, then, of this world, in which we are pilgrims absent from the Lord as long as ‘we walk by faith and not by sight’, the Christian soul ought to feel itself desolate, and continue in prayer, and learn to fix the eye of faith on the word of the divine sacred Scriptures, as ‘on a light shining in a dark place, until the day dawn, and the day-star arise in our hearts’.”¹

It is therefore the Scriptures that kindle the spirit of prayer. This perhaps is the deepest motive for making Divine Office the daily prayer of the priest. As he reads the Psalms he associates himself with the chosen people of old who were trying, in the incompleteness of Revelation, to understand a life in

¹ Letter 130, No. 5.

which God would be the centre. The whole of St Augustine's *Enarrationes in Psalmos* is a study of prayer as something which offers a synthetic view of life. As the priest wanders from the Old Testament to the New, so he becomes penetrated with the mystery of the total Christ, a mystery in which he plays an operative role by completing the sacrifice of his Office with the sacrifice of his Mass.

With Faith grows Hope, a trust in the efficacy of prayer for the possession of eternal life. But the arch over the two pillars of Faith and Hope is assuredly Charity—that burning desire by which we lift our hearts up to God, groaning with the sense of our insufficiency, feeling the misery of the whole of humanity. Such is the “prayerful priest”. He is a man of strong desire, a man casting his tender eyes upon a vale of tears, a man knowing himself to be like his fellows but desperately anxious to lift them as well as himself to God, the only source of consolation.

I, plunged in this heavy plight,
Found in my faults just cause of fear;
By darkness taught to know my light,
The loss thereof enforced tears.¹

Although the spirit of prayer is eminently an infusion of the Holy Ghost, it is given to those who prepare themselves by the recitation of prayers. On this St Augustine could not be more explicit. In his letter to Proba, as well as in his treatise *De Sermone Domini in Monte* and in Sermons XLII, LVI, LVII, LVIII, LIX, he insists upon the necessity of rightly understanding the prayer of petition. Petitions, he says, are necessary not to tell God what we want, but to prepare us for the reception of His gifts. Hence we should take care to ask for the right things in the right way. It is interesting to notice how the prayer of petition, usually associated with the active life, becomes almost the life-blood of the contemplative state.

What should we ask for? Everything that is good in itself: health to enable us to do our daily work, competence in order to do it well, even riches in so far as they enable us to do good.

¹ From Blessed Robert Southwell's poem, “The Prodigal Child's Soul Wrack”. Nearly all Fr Southwell's poems well emphasize the intimate relationship between this feeling of desolation and charity.

We may and should pray for respect from our neighbours, efficiency, success in all our undertakings as long as they are subordinated to good. It is here that we see the realism of St Augustine. He was a priest anxious to drag to heaven as many souls as possible together with himself. Like many of us, he wanted to succeed.

But all these aims, even in the natural order, are subordinated to personal happiness. Happiness is the ultimate aim of all prayer of petition. For years before St Augustine's time philosophers had pondered over the nature of happiness. Perhaps in our own day this is the ultimate problem of most individuals. Surely it is what they really want God to give them.

Like St Thomas, St Augustine ascends the scale of all that satisfies human desires, until he reaches the conception of eternal beatitude. The beatific vision is the first and last petition that we should address to God. It is at this point that the prayer of petition seems to mingle with contemplation. The petitioner experiences such a desire for God that he seems to live in a spirit of adoration. All his faculties converge upon God in His Glorious Trinity. It is in this life of desire for God, not as a purely personal benefit, but as the only source of eternal happiness for the whole human race, that consists the spirit of prayer.

St Augustine emphasizes so much the necessity of praying for the right thing that each time he writes on prayer he comments upon the *Pater*. Everything, he says, should be contained in the petitions of the Lord's Prayer. Here again he is perfectly consistent. Prayer is something personal, no doubt, but it is not a simple expression of self. It is something that has to be taught from without, from Holy Scripture. In order to acquire the spirit of prayer, we should "prayerfully scrutinize" the Scriptures. Then, if God wills, we shall receive the gift of prayer; we shall be lifted up to God. But this will be for *our* benefit. God does not need our prayers. It is for ourselves that we wish His Kingdom to come; it is for our own good and happiness that His Name should be kept holy; it is for us that we say: "Thy will be done on earth as it is in heaven"; for we are asking for the grace of obedience. So we can go through the seven petitions of the Lord's Prayer, reminding ourselves of the things we need in order to be supremely happy.

These petitions, however, are worded only to stir up the spirit of prayer within us. They should be treated as helps and not as ends in themselves. They should not be multiplied for their own sake, but used only as signs. "Multiplied words are one thing; long-continued warmth of desire is another."¹ It is with this "long-continued warmth of desire" that we obey the precept *semper orare*.

Not only can the petitions of the *Pater* be reduced to supplications for the three theological virtues, but the bread, fish and egg mentioned in Luke xi, 9-13, and Matthew vii, 7-11, symbolize the same virtues. The fish symbolizes faith because "it remains unharmed amid the tempestuous waves of this world" and because it suggests baptismal water. The egg signifies Hope because of the new life it contains, while the deceiving scorpion is to be shunned because of the sting in its tail. Bread, the greatest of foods, contrasted with the hard stone, suggests warm Charity, the greatest of virtues.

The first duty of one who has the care of souls is to teach people how to pray. Should he not preach to them the meaning of the Lord's Prayer? Should he not try to convey to them the meaning of the word *Father*, to whom that prayer is addressed? That prayer is the practical conclusion of the Sermon on the Mount. It is a lesson in itself that sums up the whole ascent of the Christian soul to God. It offers a positive view of life, a movement towards an end to which it points vigorously. If Christians understand the meaning of the "Our Father", they will love God.

It is natural that this code of the spiritual life should possess an intimate relationship with the Beatitudes and with the Gifts of the Holy Ghost. When we pray that God's Name may be kept holy in men's hearts, we fear the Lord, we are poor in spirit, and our reward is the kingdom of heaven. In the notes on Meekness we remarked how closely this virtue was connected with the gift of piety. Gentle people will possess the earth and realize the petition "Thy kingdom come!" either in this world or in the next. Possessing the gift of knowledge, we mourn and are comforted, praying that God's will may be done on earth as it is in heaven, "*quia cum corpus tamquam terra,*

¹ Letter CXXX, Ch. x, 19.

spiritui tanquam coelo, summa et tota pace consenserit, non lugebimus".¹ If Fortitude is that by which we, the blessed, hunger and thirst after justice, let us ask God to give us our daily bread so that we may have our fill. Counsel is associated with the merciful, who shall obtain mercy by forgiving those that trespass against them. To the pure of heart is given Understanding. In order to see God they must not be led into temptation. Finally, we come to the first gift mentioned by Isaias, the gift of Wisdom, which is conferred upon the peaceful, who shall be called the children of God. Being children of God, they must be debarred from all evil in order to be adopted by God. And so we come back to the beginning again, when, infused with the gift of Wisdom, we can look upon God and call Him "Our Father".

It is a most wonderful thing that, in the spirituality of St Augustine, almost every virtue can become a key to the synthesis. Gentleness, Poverty, Humility, Charity, the Spirit of Prayer, all these enclose one another in such a way that it is impossible to meditate upon one without thinking of all the others. It is a spirituality that suffers by over-analysis—a spirituality that is meant only for great souls, those who can grasp life in its reality. It is a spirituality that can help the priest in contact with the world and anxious to change it. It is the ideal synthesis of priestly virtues.

SEBASTIAN REDMOND, A.A.

EUCCHARISTIC TERMS IN THE LITURGY

II COMMUNIO

PROBABLY the term most frequently used, from Apostolic times to the present day, in connection with the Eucharist is *Communion*, *Holy Communion*, which is the Latin rendering of the beautiful Greek word *κοινωνία*. It occurs already in St Paul (I Cor. x, 16): "We have a cup we bless: is not this

¹ *De Sermone Domini in Monte*, Book II, Ch. xi.

cup we bless a participation (*κοινωνία*, communion) in Christ's Body? The one bread makes us one body, though we are many in number: the same bread is shared by all." St Paul writes again (ib. 20): "Are not they that eat of the sacrifices partakers of the altar (*κοινωνοὶ τοῦ Θυσιαστηρίου*)?" The word *κοινωνία* is also used by St Luke (Acts ii, 42), in his brief but characteristic summing up of the life of the early Christians at Jerusalem: "These occupied themselves," he writes, "continually with the apostles' teaching, their *fellowship* in the breaking of bread (*καὶ τῇ κοινωνίᾳ τῇ κλάσει τοῦ ἄρτου*) and the fixed times of prayer."

The word Communion, therefore, describes the Eucharist in its sacramental, rather than sacrificial, aspect. The Eucharist indeed was instituted as a spiritual repast and therefore, as theologians say, Holy Communion, the use of the Eucharist, completes the Sacrifice.¹ The passages quoted above from St Paul and St Luke bring out clearly both aspects of the Holy Eucharist. Batiffol and Armitage Robinson, among a number of exegetes, make very apposite observations on the word *κοινωνία*, which St Paul often employs to describe the close relationship between Christ and the life of His disciples, individually as well as collectively, through the partaking of the Eucharistic meal. This word is indeed one of the key-words in Pauline theology. It is translated as communion, communication, fellowship, participation, sharing in, partaking of. The usual Latin equivalent is, as we have said, *communio*, but other very expressive terms are also used, e.g. *commercium* and *consortium*. In the Missal we find the following expressions embodying the same idea:

Commercium sacrosancta, Commercium divina, Commercium sancta, Communicatio corporis et sanguinis Christi, Consortes (esse) divinitatis, Consortes divinae naturae, Consortia Resurrectionis Christi, Consortium mysterii salutaris, Inhaerere divinis rebus, Frequentatio divini mysterii, Operatio continua reparationis nostrae, Participatio divina, Participatio altaris, Participatio muneris sacri, Participatio mysterii, Participatio salutaris sacramenti, Perceptio corporis Christi, Perceptio paschalis sacramenti, Perceptio veneranda sacramenti Christi.

¹ St. Thomas, *Summa*, III, 82, 4.

These expressions are too clear to call for any explanation. However, I should like to draw special attention to the use of those beautiful Latin plurals—*consortia*, *commercia*, *mysteria*, *sacramenta*, *munera*—which so frequently occur in the Missal, especially in the *Secreta* and *Postcommuniones*, and help to emphasize the reality of the thought expressed in those prayers.

St Paul roundly declares that all those who take part in the offering to idols *ipso facto* become *κοινωνοὶ τῶν δαμονίων*, and similarly all those who partake of the Eucharistic banquet are *κοινωνοὶ τοῦ Θεοῦ* *ἰσχυροῦ*, they share in the fellowship of the Blood of Christ, *ἐν τῇ κοινωνίᾳ τοῦ αἵματος τοῦ Χριστοῦ*. This means, of course, as Armitage Robinson explains, "the fellowship in the New Covenant made by the death of Christ; fellowship in the Body of Christ, that living corporate unity of which, to his (St Paul's) view, Christ is at once the Head, and, in a deeper sense, the Whole." Very accurately, therefore, has *κοινωνία* been rendered into Latin by our familiar term *Communion*, whereby we describe the most intimate intercourse between God and man, who by the Sacrament of the altar is admitted to share in the fellowship of Christ's redemptive Act as well as in a personal, physical union with His Godhead and sacred Humanity. After the *admirabile commercium* of the Hypostatic Union there is no more wonderful union than this loving and sacred *consortium* of God with man in Holy Communion.

As in those sacrifices of the Old Law which were known as *Hostiae pacificae*, offerings of peace, so here in the Eucharist, those who have offered the Victim of peace, sit down together to partake of it in a sacrificial meal. Thus, the *altaris participatio*, mentioned by the priest in the prayer *Supplices* of the Canon, becomes a reality. Holy Communion is considered by the Liturgy, as it is in very truth, Christ communicating His divine flesh and blood to the faithful, and thus fulfilling man's craving for actual union with his Maker, the desire to feel the touch of God on his soul. The *Sitis Dei*—the thirst for God—has ever been man's overwhelming urge, and by Holy Communion he slakes that thirst at the very fountainhead. The liturgical expressions enumerated above are so many attempts to formulate this mysterious truth in human language.

The word Communion, therefore, as well as all the other

phrases under discussion, primarily refers to the union between the God-Man and the soul of man, effected by the partaking of the Eucharistic Sacrament. "*Communio*," writes St John Damascene, "*optimo jure appellatur, quia per illud (Sacrificium) cum Christo commercium habemus, ac carnem ipsius et divinitatem participamus.*"¹ Christ Himself spoke of this when He promised the Eucharist (John vi, 57): "He who eats my flesh and drinks my blood, lives continually in me, and I in him," "The man who eats my flesh and drinks my blood, enjoys eternal life." This is why the Fathers are so fond of styling Holy Communion "the seed of immortality", or, like St. Ignatius the Martyr, "the medicine of immortality"—*άρμακον ἀθανασίας*.²

Let us repeat once more that, next to the "wonderful intercourse" of the Incarnation, there is no higher wonder than this of Holy Communion. It has filled, and still fills, with wondering awe generation after generation of Christians, and has been, and is, a rich source of poetical inspiration. Only a few years ago, the Spanish poet Unamuno, one of the greatest of modern poets of all nations, penned these lines:

Amor de Ti nos quema, blanco cuerpo,
amor que es hambre, amor de las entrañas.
Solo comerte nos apaga el ansia,
pan de inmortalidad, carne divina.³

This loving union of God with the soul in Holy Communion is in itself, according to the liturgy, the chief fruit of the Sacrament of the Eucharist. Thus we often pray that the sacred intercourse may be the lasting effect of our receiving Holy Communion:

Haec nos communio . . . coelestis remedii faciat esse consortes.⁴

¹ *De Fide orthodoxa*, Lib. IV, c. 14.

² Ephes. xx, ii.

³ Love for Thee burns us, white Body,
Love which is hunger, deep love from the heart.
Only to feed on Thee can quench our desire,
Bread of immortality, Flesh divine!

⁴ *Secreta*. XVIIIth Sunday after Pentecost.

Sacramenti tui divina libatio . . . sui nos participes potenter efficiat.¹

Praesta quaesumus . . . ut ejus semper participatione vivamus.²

Concede, ut paschalis perceptio sacramenti, continua in nostris mentibus perseveret.³

Concede . . . ut ipsius (oblationis) subsidiis adjuti, gloriae ejus consortes efficiamur.⁴

The Liturgy also brings out very explicitly another most important effect of Holy Communion, viz. the sharing in God's own nature :

Deus qui nos, per hujus sacrificii veneranda commercia, unius summae divinitatis participes efficit.⁵

Fac nos divinitatis tuae sempiterna fruitione repleti, quam pretiosi Corporis et Sanguinis tui temporalis perceptio praefiguratur.⁶

Per haec sacrosancta commercia, in illius inveniamur forma, in quo tecum est nostra substantia.⁷

Holy Communion, according to the Liturgy, is not only a means of sharing in God's own divine life, but also, and very especially, of being incorporated in Christ as members of His Mystical Body. Thus we pray :

Concede . . . ut inter ejus membra numeremur, cujus Corpori communicamus et Sanguini.⁸

St. Thomas writes :

Aliam autem significationem habet (Eucharistia) respectu rei praesentis, scilicet ecclesiasticae unitatis, cui homines aggregantur per hoc sacramentum, et secundum hoc nominatur *communio*, sive *σύναξις*.⁹

¹ Postcom. Saturday of the Second Week in Lent.

² Secreta. XVIIth Sunday after Pentecost.

³ Postcom. IVth Sunday after Pentecost.

⁴ Postcom. Easter Tuesday.

⁵ Postcom. 18 March. St. Cyril of Jerusalem.

⁶ Postcom. Feast of Corpus Christi.

⁷ Secreta. Christmas. Midnight Mass.

⁸ Postcom. IVth Sunday in Lent.

⁹ *Summa*, III, 73, 4.

Moreover, Holy Communion is both the symbol and the source of the union of the faithful among themselves and with Christ. Unity and peace are both symbolized and produced by the Sacrament of the Eucharist:

*Ecclesiae tuae unitatis et pacis propitius dona concede; quae sub oblatis muneribus mystice designantur.*¹

*Haec tua, Domine, sumpta sacra communio: sicut fidelium in Te unionem praesignat; sic in tua Ecclesia unitatis, quaesumus, operetur effectum.*²

This last quotation brings out an aspect of the Eucharist on which the Fathers love to dwell. From the earliest times, Christian writers see in the Eucharistic bread and wine, made one substance from many grains or grapes, an apt symbol of the one true Church, composed of members gathered from all the corners of the earth. It is this fact which is alluded to in the well-known prayer of the Didache:

*Sicut hic panis fractus (τοῦτο τὸ κλάσμα) dispersus erat super montes et collectus factus est unus, ita colligatur Ecclesia tua a finibus terrae in regnum tuum.*³

St Ignatius too, especially in his Epistle to the Philadelphians, insists in describing the Eucharist as the bond of union among the faithful:

*Studeatis igitur una Eucharistia uti: una est enim caro Domini nostri Jesu Christi, et unus calix in unitatem sanguinis ipsius, unum altare, sicut unus episcopus cum presbyterio et diaconis, conservis meis.*⁴

From their faith in the Eucharist which they shared with the Catholics, St Irenaeus argued against the heretics of his time that the human body, as much as all other material elements of creation, proceeds from God, the good principle:

Quomodo ergo et mixtus calix et factus panis percipit verbum Dei, et fit Eucharistia sanguinis et corporis Christi, ex quibus

¹ *Secreta*. Feast of Corpus Christi.

² *Didache*, 9, 1.

³ *Postcom. Mass ad tollendum schisma.*

⁴ *Ad Philadel.*, n. 4.

augetur et consistit carnis nostrae substantia, quomodo carnem negant capacem esse donationis Dei, quae est vita aeterna, quae sanguine et corpore Christi nutritur et membrum ejus est?¹

The Fathers of the following centuries develop this same doctrine with an imposing array of argument, metaphor and simile. St. Cyprian has these lines:

Denique unanimatatem christianam firmam sibi atque incomparabili caritate connexam etiam ipsa dominica Sacrificia declarant. Nam quando Dominus corpus suum panem vocat de multorum granorum adunatione congregatum, populum nostrum, quem portabat, indicat adunatum: et quando sanguinem suum vinum appellat de botruis atque acinis plurimis expressum atque in unum coactum, gregem item nostrum significat commixtione adunatae multitudinis copulatum.²

The greatest exponent of this doctrine was St Augustine, as anyone can see who cares to look up the lessons of the second nocturn for the Octave of Corpus Christi. One passage will suffice here:

Unus panis, unum corpus multi sumus. O Sacramentum pietatis! O signum unitatis! O vinculum caritatis! Qui vult vivere, habet ubi vivat, habet unde vivat. . . . Accedat, credat, incorporetur ut vivificetur. Non abhorreat a compage membrorum, non sit putre membrum quod resecari mereatur. . . .

The theologians of Trent simply echo St Augustine's words when they, in their turn, sum up their doctrine on the Eucharist against Protestants, calling Holy Communion: *Unitatis signum, vinculum caritatis, concordiae symbolum*.³

Many rubrics, past and present, for the celebration of Mass, were obviously framed by the Church in order to inculcate this principle of the vital union, through Holy Communion, of the faithful with herself, the Mystical Body of Christ, and of the faithful among themselves. In fact most of the actions and

¹ *Adv. Haer.*, c. 5, 2.

² *Epist.* 69, c. 5.

³ Sess. III, c. 8.

prayers, from the recitation of the Lord's Prayer to the actual reception of the Eucharist, are directed towards that end. As the present-day ritual of the Latin Mass is familiar to all, it will be of greater interest to illustrate this by reference to the ceremonial of the old Mozarabic Rite which was observed, in its main lines at any rate, not only in Spain but also in Gaul and in Northern Italy up to the eighth century.

At the end of the Canon, or *Inlatio*, the priest raises the Host and chalice and says: *Fidem quam corde credimus, ore autem dicamus*, and all together recite the *Credo*. This is followed by the Lord's Prayer, which is said alternately by priest and people, in the form of a Litany, as follows:

Priest: Pater noster, qui es in coelis.

People: Amen.

Priest: Sanctificetur nomen tuum.

People: Amen.

Priest: Adveniat regnum tuum.

People: Amen.

Priest: Fiat voluntas tua sicut in coelo et in terra.

People: Amen.

Priest: Panem nostrum quotidianum da nobis hodie.

People: Quia Deus es.

Priest: Et dimitte nobis debita nostra, sicut et nos dimittimus debitoribus nostris.

People: Amen.

Priest: Et ne nos inducas in tentationem.

People: Sed libera nos a malo.¹

The change in the answer to the petition, *Panem nostrum*, is certainly remarkable. The answer is, *Quia Deus es*, to acknowledge that the effects the faithful desire to receive from Holy Communion are of such nature and magnitude that God alone can grant them.² Immediately after this the priest recites the embolism, which, as at the present time in the Roman Mass, consists of a longer prayer for unity and peace: *Libera nos, quaesumus, Domine*.

This prayer terminates in the breaking of the Host into three

¹ See Lorenzana, *Missas Gothicae et Officii Mozarabici dilucida expositio*, Toledo, 1875.

² Lorenzana, op. cit., p. 46.

particles. The origin of this rubric is worth recording here. From the fifth to the seventh century, at the Papal Mass on most feast days the Pope divided the consecrated bread into three parts: the first for his own communion and that of the assistant ministers, clergy and people; the second to be taken by the deacons to the sick; and the third, called the *fermentum*, to be sent as a token of peace to other bishops and parish priests of the Roman churches in union with the Apostolic See. These priests placed the *fermentum* in the chalice to be consecrated by them on the following day, when it was consumed by them together with the precious Blood.

Another ceremony, intended to prepare the faithful for a worthy Holy Communion, is the Kiss of Peace. In ancient times this rubric was observed before the faithful went up to the altar to present their offering, in order to comply with the precept of the Gospel, *Si offers munus tuum ante altare*; but during the fourth century the rite of the Kiss of Peace began to be observed as an immediate preparation for Holy Communion, the faithful being thus employed during the distribution of Holy Communion, while at the same time the choir sang the *Confractorium*, which is now represented by the *Agnus Dei*. We have a number of mediaeval *confractoria*, all of them composed on the same lines, embodying, that is, a prayer for peace, union and fraternal love. We will quote one in conclusion:

SUPER AGNUS DEI

i

*Agnus Dei,
qui tollis peccata mundi*

Danielis prophetia
quem praedixit, hunc Maria
Virgo Deum genuit.

Jam descendit ut mactetur,
plebs fidelis jucundetur,
ecce Christus sumitur.

Vitam confert Agnus ille,
cui canunt chori mille,
verum Corpus sumite.

ii

*Agnus Dei,
dona nobis pacem*

Qui de coelo descendisti,
misericors Domine,
et nasci non despexisti
de Maria Virgine,

Qui Mariam elegisti
matrem fore gratiae,
at que nos a coeno tristi
piasti, Rex gloriae,

Praesta nobis quod optamus
per Mariae gloriam,
ut servare valeamus
coelestem concordiam.

iii

*Agnus Dei
dona nobis pacem*

Fons indeficiens pietatis,
miserere nobis;
auctor summae bonitatis,
miserere nobis;
pax aeterna, dator sanctitatis,
dona nobis pacem.¹

ROMANUS RIOS, O.S.B.

¹ Cf. *Hymni Latini Medii Aevi*, a Franc. Jos. Mone, tom. I. Herder, 1853, p. 309.

QUESTIONS AND ANSWERS

FONT BLESSING: HOLY OILS

If the Holy Oils blessed on the previous Holy Thursday have not arrived, what is the correct practice in blessing the Font, particularly when a solemn Baptism must be administered immediately? (O.)

REPLY

Canon 734: *Sacra olea quae quibusdam sacramentis administrandis inserviunt, debent esse ab Episcopo benedicta feria V in Coena Domini proxime superiore; neque adhibeantur vetera, nisi necessitas urgeat.*

S.R.C., 31 January, 1896, n. 3879: Parochus curet, ut prebyter vel clericus, si possibile sit in Sacris constitutus, nova Olea Sacra recipiat. Quod si aliquod adhuc extet impedimentum, idem parochus vel per se vel per alium Sacerdotem benedicat Fontem sine Sacrorum Oleorum infusione, quae privatim opportuno tempore fiet: nisi aliquem baptizare debeat; tunc enim ipsa benedictione solemniter vetera Olea infundat.

Some other earlier replies are not so clear because the circumstance of an impending Baptism was not taken into consideration. If no Baptism is expected before the newly consecrated oils arrive, the Holy Saturday rite should be performed without them, and later a priest vested in surplice and violet stole should add to the blessed water the Holy Oils with the formula given in the Missal. A solemn Baptism, let us suppose, must be administered unexpectedly after the blessing of the Font without Holy Oils and before the newly consecrated ones have arrived; the Baptism will be preceded by pouring the old Oils into the Font with the appropriate formula, and the candidate throughout the rite will be anointed with the old Oils. It is evident that the priest should not burn up the old Oils before he is in possession of the new ones, since he may need them in an emergency for Extreme Unction or Confirmation, as well as for solemn Baptism.

EX-MISSIONARY PRIEST AND ECCLESIASTICAL
OFFICES

A priest member of a missionary society, released owing to ill-health from his foreign mission, becomes incardinated in a diocese. He now learns that his former membership in the society bars him from certain offices, including that of ordinary confessor to nuns. Why is the law so unfriendly to one who, it would seem, is worthy of every consideration? (M.)

REPLY

Canon 642, §1: Quilibet professus, ad saeculum regressus, licet valeat, ad normam can. 641, sacros ordines exercere, prohibetur tamen sine novo et speciali Sanctae Sedis indulto: . . .

3. Quocunque officio vel munere in Curiis episcopalibus et in religiosis domibus sive virorum sive mulierum, etiamsi agatur de Congregationibus dioecesanis.

§2. Haec valent quoque de iis qui vota temporaria, vel iuramentum perseverantiae, vel peculiare quasdam promissiones ad normam suarum constitutionum ediderunt et ab eisdem dispensati fuerunt, si per sex integros annos eisdem ligati fuerint.

S.C. Relig. 15 June, 1909; *Fontes*, n. 4393: Quum minoris esse soleat aedificationis, salvis extraordinariis nonnullis casibus, quod in officiis dioecesanis eminere conspiciantur, qui, vel in aliquo Ordine regulari vota solemniter professi, indultum saecularizationis sive perpetuae sive ad tempus obtinuerint, vel in Instituto aliquo religioso, emissis votis perpetuis, ab istis dispensati fuerint; ne alii inde Religiosi induci possint, ut varios egrediendi clausura praetextus exquirant, quod nimis frequens accidere experientia docet, SS.D.N. Pius Papa decimus decernere dignatus est . . .

The reason for the law of canon 642 is amply expressed in *Fontes*, n. 4393. Like any law made for the common good, it may be harshly incident in a given instance, but provision is made for any indults which may be necessary.

The commentators are agreed that office in a religious house includes that of an ordinary confessor: Chelodi, *De Personis*, §287 n. 4; Beste, *Introductio*, p. 435; Berutti, *De Religiosis*, §154, IV.

The canon in §2 extends the prohibition to a member of Societies without vows provided, firstly, that membership requires some bond such as an oath or an oblation from which the person has been dispensed; and provided, secondly, that he has been so bound for a period of six years in the Society. It may be found, on examination, that these conditions are not verified, on one point or another, in certain cases; the law does not apply, for example, to a member of a society who has left, without the need of any dispensation, owing to the period for which he joined having been completed. If the law does apply, the remedy in hard cases is to seek an indult from the Holy See through the Ordinary of the diocese.

CONSECRATION OF A CHURCH: FREEDOM FROM DEBT

It is commonly understood that a parish church cannot be consecrated until the debt incurred for its construction has been paid off. Is this a rigid rule?

REPLY

Canon 1165, §2: Si prudenter praevideatur ecclesiam conversum iri ad usus profanos, Ordinarius consensum eius aedificationi ne praebeat, aut saltem, si forte aedificata fuerit, eam ne consecret neve benedicat.

§3: Sollemni consecratione dedicentur ecclesiae cathedrales et, quantum fieri potest, ecclesiae collegiatae, conventuales, pároeciales.

S.R.C., 4 May, 1882, n. 3546. 2: . . . num licite consecrari possit Ecclesia, quae pertinens ad laicalem familiam, per vigentes civiles leges potest hereditaria ratione transmitti aut vendi aut in usum profanum converti. *Resp.* In casu, de quo agitur, nisi habeantur sufficientes cautiones, abstinendum ab eiusmodi Ecclesiae consecratione.

Consecration, expressly required by the law for Cathedral churches, is recommended wherever possible for parish churches also, but it is clearly incorrect to regard a parish church as lacking some necessary quality until consecrated. A sacred building solemnly dedicated to the service of God should not be exposed to the risk of being converted to some profane use, and only if this danger is removed may it be consecrated or even, under the law of the Code, blessed. It is for the Ordinary to decide, both from canon 1165, §2, and from the fact that the consecration and even the solemn blessing of the Roman Ritual, Tit. viii, cap. xxvii, are reserved to him. The law of the Code extends the rule beyond the direction of *S.R.C.*, n. 3546, by applying it to the blessing of churches.¹

Being burdened with a debt is not, in the common law, a bar to consecration, except when it is accompanied by the risk of the building's profanation; if, for example, the money for its erection is borrowed from a fund belonging to the diocese, there is no risk at all. One of the few writers to discuss the point rightly observes: "Any safe guarantee securing the church building proper against such interference as would give a creditor the right to claim its sale or its use, would suffice for its licit consecration."² The notion, however, that any kind of debt on the building is an obstacle to its consecration is very widespread in this country, and it may be regarded, if desired, as a local custom or law. Quite likely also, this understanding of the rule may encourage parishioners to pay off the debt more quickly, and should not be disturbed. In any case, there is no strict obligation to have a parish church consecrated, even if it is entirely free of debt, but only in so far as it is possible, which leaves it open to the Ordinary to use his own discretion.

ADULT FORM OF BAPTISM

Priests enjoy in this country the faculty of using the form for infants when baptizing adults absolutely. May one, nevertheless, use the adult form as contained in the Ritual? (C.)

¹ Berutti, *De Rebus*, §8, II.

² *American Ecclesiastical Review*, 1908, XXXIX, p. 442.

REPLY

Canon 69: Nemo cogitur uti privilegio in sui dumtaxat favorem concesso, nisi alio ex capite exurgat obligatio.

Canon 755, §2: Loci Ordinarius potest gravi et rationabili de causa indulgere ut caeremoniae praescriptae pro baptismo infantium adhibeantur in baptismo adultorum.

Canon 744: Adultorum baptismus, ubi commode fieri possit, ad loci Ordinarium deferatur, ut, si voluerit, ab eo vel ab eius delegato sollempnius conferatur.

S.C. Propaganda, 12 May, 1867; VIIth Westminster Diocesan Synod (1868), App. vi: SS^mus . . . benigne concessit . . . facultatem utendi in adultis sacro fonte abluendis breviori formula pro Baptismate parvulorum in Rituali Romano praescripta, ommissa longiori pro adultis ibidem statuta, dictamque facultatem Missionariis sibi subditis subdelegandi. . . .

(i) In the common law it is clear from the above texts that one is not bound to use the faculty, provided that the candidate as well as the minister prefers the longer form for adults given in the Ritual; we think it necessary to consider the candidate's wishes, from the terms of canon 69, since the rite for adults is so much longer and more intricate. The faculty for using the form for infants, which used to be obtained by indult, is now conceded to all Ordinaries in canon 755, §2. Neither in the terms of the former indult, nor in canon 755, §2, can we discern any direction that the form for infants not only may but must be used. On the contrary, the Ordinary may permit the shorter form only for a grave and reasonable cause, and this is assumed to be present in the Ordinary's judgement whenever the permission is included in a priest's faculties. Occasionally, faculties are so worded that the priest is himself required to form a judgement that there is a grave cause, e.g. "in baptismo adultorum caeremonias praescriptas (adhibeas) pro baptismo infantum, gravi et rationabili de causa, ipsius sacerdotis conscientia onerata"¹.

Accordingly the *Ordo Administrandi*, Tit. ii, cap. iv, refers the priest to the *Ritualet Romanum* for the solemn Baptism of adults, a

¹ *Irish Ecclesiastical Record*, 1924, XXIV, p. 406.

reference which is ample justification for using the longer form if one does not desire to take advantage of the indulgt.

(ii) Since, however, the baptism of adults belongs in principle to the bishop, he is within his right in requiring delegated priests to use the form for infants. Thus in Middlesbrough Synodal Decrees (1923), n. 99, we read: "In the solemn Baptism of adults the ceremonies prescribed for Infant Baptism are to be used."

INDULGENCED PRAYERS: TEXTUAL VARIATIONS

Does the rule of canon 934, §2, apply to the addition of the word "our" in the English version of the prayer "Fidelium Deus": "by our pious supplications" instead of "by pious supplications"? (Q.)

REPLY

Canon 934, §2: Si peculiaris oratio assignata fuerit, indulgentiae acquiri possunt quocunque idiomate oratio recitetur, dummodo de fidelitate versionis constet ex declaratione vel Sacrae Poenitentiariae vel unius ex Ordinariis loci ubi vulgaris est lingua in quam vertitur oratio; sed indulgentiae penitus cessant ob quamlibet additionem, detractionem, vel interpolationem.

S. Poenit., 26 November, 1934; *A.A.S.*, 1934, XXVI, p. 643; *THE CLERGY REVIEW*, 1935, IX, p. 65: Pluries a Sacra Poenitentiaria quaesitum est: Utrum verba can. 934, §2, C.I.C. *indulgentiae penitus cessant ob quamlibet additionem, detractionem vel interpolationem* rigorose intelligi debeant de quibusvis additionibus, detractionibus vel interpolationibus an potius de iis tantum quae earumdem substantiam alterent . . . *Resp.* Negative ad primam partem; affirmative ad secundam, facto verbo cum Ssño.

(i) The rule of canon 934 is reasonable enough: if the faithful want to gain an indulgence attached to a prayer, they must recite the prayer and not some other prayer resembling it. The reply of 26 November, 1934, is equally reasonable, especially when it is a question of a translation, and is meant to allay scrupulosity. Commenting on this reply in *THE CLERGY*

REVIEW, 1935, IX, p. 65, the writer correctly applied it to the hymn verse *Maria Mater Gratiae*, deciding that the substance of the prayer remained the same whether one used the Breviary form "Dulcis parens clementiae" or "Mater Misericordiae" as in the authorized text to which an indulgence was attached. On the other hand, apart from indult, additions to the *Hail Mary* when reciting the Rosary must be regarded as substantial changes;¹ similarly, the recitation of the Litany of Loreto with three invocations to one *Ora pro nobis* does not suffice for gaining the indulgences.² In these instances an official declaration has resolved the doubt; in other instances one has to decide whether a change is substantial or not.

(ii) There can be no dispute that the word "our" is an addition in the translation which is not found in the original. It is so printed in the *Ordo Administrandi*, p. 311, and in many prayer books. The word was omitted in the 1886 edition of the *Manual of Prayers*, p. 161, and is omitted in the English version of *Preces et Pia Opera*, n. 549. It might be argued that the change is substantial, inasmuch as the original does not exclude the prayers of the Holy Souls for themselves, whereas the addition in the translation limits the sense to our prayers on their behalf.

We think, however, that the change is not substantial, for there is no reason why the holy souls should not be included in the word "our", relying on the doctrine of the communion of saints. With still greater reason one may regard "that pardon" instead of "the pardon" as a negligible modification, if any, of the concluding words of the prayer. The *Ordo Administrandi* has the reading "that".

The best form, nevertheless, is the one given in many missals and prayer books: "that through pious supplications they may obtain the pardon they have always desired".

PAULINE PRIVILEGE INOPERATIVE

In the event of the unbaptized party giving all the canonical assurances but refusing Baptism, it is agreed that the Privilege may not be used; in this case is the baptized party bound to continue married life with the unbaptized party? (C.)

¹ Cf. THE CLERGY REVIEW, 1935, X, p. 306.

² Cf. THE CLERGY REVIEW, 1946, XXVI, p. 609.

REPLY

I Corinth. vii, 12 (Knox): To those others, I give my own instructions not the Lord's. If any of the brethren has a wife, not a believer, who is well content to live with him, there is no reason why he should put her away, nor is there any reason for a woman to part with her husband, not a believer, if he is content to live with her.

Canon 1127: In re dubia privilegium fidei gaudet favore iuris.

S. Off. 29 November, 1882, ad 3; *Fontes*, n. 1075: Sed quoniam tum periculum recens conversi cavendum est, ne si diu permanserit in toro infidelis, fidem Christi fortassis amittat, dum vult servare homini: tum vero libertati illius consulendum est, ne caelebs vivere cogatur qui forsán uritur, idcirco decernimus ut, transacto sex mensium spatio, res ad Episcopum deferatur, qui bene perspecta causa, fidei declaret, copiam esse aliud matrimonium ineundi propter fidei aut caritatis scandalum, quod patiatúr. Quod si nullum esse periculum in cohabitatione viderit, iubeat expectare infidelem, vel etiam consulat cohabitare, si prodesse intelligit iuxta Pauli Apostoli consilium. Neque enim potest omnibus conversis eandem regulam præfigi, cum occurrant profecto variae circumstantiae neque sit omnium infidelium eadem ratio.

The solution of this question turns on deciding whether the words of St Paul are a precept or a counsel. St Augustine regards the passage as a counsel, St Jerome as a precept,¹ and the majority of Latin commentators incline to St Augustine's view, though there are not wanting modern exegetes who prefer St Jerome's.² The canonists on the whole regard it as a counsel.

If the Christian desires to contract a fresh marriage, this can generally be effected either by a wide interpretation of the Pauline privilege which includes dispensation from the interpellations, or, if the privilege is judged to be inapplicable, by petitioning for a papal dissolution of the natural bond of the existing marriage.

The Christian may desire, on the other hand, neither to

¹ Joyce, *Christian Marriage*, p. 468.

² Prat, *Théologie de St. Paul*, I, p. 133.

contract a fresh marriage, nor to live in conjugal intercourse with the partner of the existing marriage; he may desire to live a celibate life, or even, with the appropriate dispensations, to enter the priesthood or the religious life, which he is entitled in principle to do.¹ Certainly, *Fontes*, n. 1075, strongly supports the view that the Pauline words are a counsel, not a command, and all the ecclesiastical legislation on the subject favours the liberty of a convert to Christianity to begin a new life.

Whilst agreeing with this solution, due attention should be given to the warning of Gasparri² that an obligation of charity might, in some cases, turn this counsel into a precept. The issue in a given case must, it seems to us, be decided by the Ordinary of the convert, and this is the teaching of Payen, an author of great authority on this question: "Similiter parti conversae ex infidelitate et baptizatae per se integrum est, citra privilegium Paulinum, declinare, manente vinculo, 'auctoritate Ordinarii loci', a vitae consuetudine cum infideli, qui vult quidem pacifice cohabitare, at converti constanter renuit. Nec obstant verba S. Pauli: nam, in eo casu, satis probabiliter consultit, quin eam imponat, vitae coniugalis communionem. Insuper eam suadet propter spem, quae tunc temporis facilius suberat, infidelem ad veram adducendi fidem."³

BEQUEST FOR MASSES

Is there any ruling on the number of Masses to be said when a testator leaves a sum of money for the purpose without specifying the number? (G.)

REPLY

Canon 830: Si quis pecuniae summam obtulerit pro Missarum applicatione, non indicans earundem numerum, hic supputetur secundum eleemosynam loci in quo oblato morabatur, nisi aliam fuisse eius intentionem legitime praesumi debeat.

¹ Cf. De Becker, *De Matrimonio*, p. 266.

² *De Matrimonio*, §1152, b.

³ *De Matrimonio*, §2218.

In doubt whether the last clause is verified or not, recourse should be had to the Ordinary for a ruling, as in canon 842. If it is clearly not verified, it will be necessary to have recourse to the Holy See whenever, in special circumstances, it is desired to interpret the bequest otherwise than on the basis of the diocesan stipend. Cf. *S.C. Conc.*, 15 June, 1928 (private); Bouscaren, *Digest*, II, p. 206.

ANNIVERSARY REQUIEM

Which is the correct formula to be used when a Sunday Requiem is permitted for those killed in the war?

REPLY

It is the fifth Mass entitled "In Anniversario Defunctorum", with the prayer *Deus, indulgentiarum* and the Sequence. This choice is implied in *Addit. et Variat.*, III, 7, in the rubric at the end of the fourth Mass "In Die Obitus", and in the rubric at the end of the third Mass which requires the first Mass only at the anniversary of priests. If, for example, an annual Mass is celebrated for all the deceased priests of a diocese, the formula is that of the first Mass; in all other anniversaries it is the fifth. The rubrics are not, indeed, quite explicit, but this is the direction of the authors,¹ and it is given in some diocesan calendars for the Mass which it was customary to have on 11 November.

E. J. M.

¹ O'Connell, *Celebration of Mass*, I, p. 153; Hecht, *Rubricae Generales Missalis*, p. 39.

ROMAN DOCUMENTS

JUDICIAL POWER—ECOLESIASTICAL AND CIVIL

ALLOCUTION

OF POPE PIUS XII TO THE AUDITORS AND OTHER OFFICIALS OF THE
ROMAN ROTA, 2 OCTOBER, 1945 (*A.A.S.*, 1945, XXVII, pp. 256-
61).¹

[Introduction omitted.]

A rapid and cursory glance at law and judicial practice might convey the impression that the processes of ecclesiastical and civil law differ only in secondary respects, very much as the administration of justice may differ in two States which have the same juridical traditions. Even in regard to their immediate object they appear to coincide: that of implementing or securing a right by law established but in a particular case questioned or violated; and this by way of a judicial sentence, or else by way of a judgement issued by a competent authority in accordance with the law. In both cases we find similarly the various stages of judicial instance; and moreover each procedure presents the same main features: petition for the introduction of the case, citation of the parties, examination of witnesses, communication of documents, interrogation of the parties, conclusion of the case, sentence, right of appeal.

Nevertheless these many resemblances, internal and external, must not be allowed to blind us to the profound differences between the judicial powers of Church and State (1) in regard to their origin and nature, (2) in regard to their object, and (3) in regard to their end. We shall confine Our attention today to the first of these three points, reserving the treatment of the other two, if God permits, to future years.

I

MODERN CONCEPTIONS OF THE POWER OF THE STATE

Judicial power is an essential part and a necessary function of authority in the two perfect societies, Church and State. Therefore the question of the origin of judicial power is the same as that of the origin of authority. Hence the attempts which have been made

¹ Translated from the Italian original by G. D. S.

to find between the two judicial powers resemblances even deeper than those already mentioned.

It is strange to observe how those who advance various theories about the nature of the civil power have invoked, in confirmation or support of their different opinions, so-called analogies with the power of the Church. And this is equally true of totalitarianism and authoritarianism on the one hand and of the diametrically opposite theory of modern democracy on the other. In point of fact these deeper resemblances have no real existence in any of the three cases, as a brief examination will serve to show.

In the first place it is unquestionable that one of the vital requirements in any community of human beings, and therefore in Church as well as in State, is the permanent establishment of unity in the variety of its members.

Totalitarianism

Now totalitarianism can never meet that requirement, granting as it does to the civil power an unwarranted scope, determining and fixing, both in regard to form and content, every sphere of activity and so confining every legitimate individual life, whether personal, local, or professional, within a mechanical unity or collectivity conceived in terms of nation, race, or class.

In Our broadcast Message of Christmas 1942 We indicated in particular the unhappy consequences with which such a conception and practice must be fraught for the judicial power; it suppresses the equality of all citizens in the eyes of the law and leaves judicial decisions at the mercy of an inconstant collective instinct.

For the rest, is it conceivable that such false interpretations, which violate law itself, should have been able to determine the origin of ecclesiastical tribunals or exert any influence upon their procedure? This has not been so, nor can it ever be so, because it is incompatible with the very nature of the social power of the Church, as will be later seen.

Authoritarianism

Equally unsatisfactory in regard to the same vital requirement is that conception of the civil power which may be styled "authoritarian"; for this shuts out citizens from any effective share or influence in the formation of the social will. It consequently splits the nation into two categories, that of rulers and that of ruled, whose relations to each other are reduced to being of a purely mechanical kind, governed by force, or else based upon purely biological considerations.

It is obvious that such a conception utterly distorts the true nature of the power of the State. The purpose of this power, both in itself and in the exercise of its functions, is to form the State into a true community, closely knit together in the pursuit of its ultimate end, which is the common good. But in such a system the idea of the common good becomes so unstable and lends itself so obviously as a cloak for the unilateral advantage of the ruling party, that all judicial security, and therefore one of the main elements in any judicial system, is lost in an unbridled "dynamism" of legislation.

In the Church each physical and moral person is recognized as possessing certain essential rights, and no such false dynamism could be suffered to submerge or destroy them. With this "authoritarianism" the nature of ecclesiastical power has nothing in common, nor can we admit any point of reference between it and the hierarchical constitution of the Church.

Modern democracy

There remains to be considered the democratic form of civil authority, between which and the power of the Church some would see a closer resemblance. Admittedly, where you have a true democracy both in theory and in practice, there you have the fulfilment of that vital requirement for every healthy community to which We have alluded. But this is true, or may be true, also of any other legitimate form of government.

Certainly the Christian Middle Ages, which were especially animated by the spirit of the Church, are a demonstration, with their wealth of flourishing democratic communities, that the Christian faith can create a true and proper democracy, that, indeed, it is the only lasting basis of such a democracy. A democracy in which there is no common agreement at least as to the fundamental maxims of life, especially as to the rights of God, the dignity of the human person, respect for honest work and personal freedom—even politically such a democracy would be defective and precarious. Therefore when the people abandon the Christian faith, or fail to maintain it firmly as the principle of civil life, democracy easily becomes corrupt and is apt eventually to degenerate into a party totalitarianism or authoritarianism.

Moreover, if we bear in mind what is the favourite thesis of democracy—a thesis defended by great Christian thinkers in all ages—that the people (not the "mass") is the original subject of the civil authority which comes from God, then the distinction between the Church and the State, even the democratic State, becomes more evident still.

II

THE DISTINCTIVE NATURE AND ORIGIN
OF THE CHURCH'S JUDICIAL POWER

The authority of the Church is essentially different from that of the State, and so also consequently is her judicial power.

The origin of the Church, unlike the origin of the State, is not to be found in the natural law. The most extended and closest analysis of the human person fails to reveal any element from which to conclude that the Church, like the civil society, must in the very nature of things have come into existence and developed. The Church owes her origin to a positive act of God, an act of God which is in perfect accord with the social nature of man, but which completely transcends it. Therefore the authority of the Church, and consequently the judicial power corresponding to it, was born of the will end act by which Christ founded His Church. This, however, is not to deny that, the Church being once constituted by the Redeemer as a perfect society, not a few of her essential properties present a similarity with the structure of the civil society.

But in one respect the fundamental difference is especially clear. The foundation of the Church as a society did not proceed—as does that of the State—upwards from below, but downwards from above. What We mean is that Christ, who in the Church realized the Kingdom of God which He had promised and destined for all men in all ages, did not entrust to the community of the faithful that mission of Teacher, Priest, and Pastor which He had received from His Father for the salvation of the human race; on the contrary He transmitted and communicated it to a college of Apostles (or “envoys”) chosen by Himself, so that by their preaching, by their priestly ministry, and by the social authority of their office, they might cause the multitude of the faithful to enter the Church in order to sanctify them, enlighten them, and bring them to their full stature as followers of Christ.

Consider the words with which He communicated His powers to them: power to offer sacrifice in memory of Him;¹ power to forgive sins;² the supreme power of the keys promised and granted personally to Peter and his successors;³ the power of binding and loosing conferred upon all the Apostles.⁴ Ponder, finally, the words

¹ Luke xxii, 19.

² Matt. xvi, 19; John xxi, 15-17.

³ John xx, 21-3.

⁴ Matt. xviii, 18.

with which, before His ascension, Christ committed to these same Apostles the universal mission which He had received from His Father.¹ Is there anything here that could give rise to doubt or misunderstanding? The whole history of the Church from the beginning to the present day has given unceasing echo to these words, bearing the same constant and unvarying witness with a clearness and precision which no subtlety can dim or conceal. Now all these words, all these testimonies, proclaim with one voice that, according to the express will of Christ and therefore by divine law, the essential and central point in the power of the Church is the mission to the community of the faithful and to the whole human race, with which He has entrusted the ministers of the work of salvation.

In the Code of Canon Law (can. 109) this truth has been set forth with lapidary clearness and precision: "*Qui in ecclesiasticam hierarchiam cooptantur, non ex populi vel potestatis saecularis consensu aut vocatione adleguntur; sed in gradibus potestatis ordinis constituuntur sacra ordinatione; in supremo pontificatu, ipsomet iure divino, adimpleta conditione legitimae electionis eiusdemque acceptionis; in reliquis gradibus iurisdictionis, canonica missione.*"

"*Non ex populi vel potestatis consensu aut vocatione.*" The body of the faithful, or the secular power, may often in the course of centuries have had a part in designating those upon whom ecclesiastical offices were to be conferred—and moreover to these offices, including the Supreme Pontificate, the son of a humble working family no less than the scion of noble stock may be elected. But in reality the members of the ecclesiastical hierarchy have received, and always do receive, their power from above, and their only responsibility for the discharge of their commission is either immediately to God, to whom alone the Roman Pontiff is subject, or else, in the other ranks, to their hierarchical superiors. To the faithful, or to the civil authority, they have no account to render—although naturally every member of the faithful has the right to present in proper form to the competent ecclesiastical authority, or even directly to the supreme authority of the Church, his own petitions and appeals, especially in cases where the petitioner or appellant is inspired by motives touching his personal responsibility for his own spiritual salvation or that of others.

The conclusions to be drawn from what has been said are chiefly the two following:

1. In the Church, otherwise than in the State, the original subject of authority, the supreme judge, the highest court of appeal,

¹ Matt. xxviii, 18-20; John xx, 21.

is never the community of the faithful. Therefore there does not exist, and there cannot exist, in the Church as founded by Christ a popular tribunal or a judicial power derived from the people.

2. The question of the greatness or extent of the power of the Church presents an entirely different aspect from that of the parallel question regarding the power of the State. For the Church what counts first and foremost is the express will of Christ, who in His wisdom and goodness might have chosen to grant her greater powers or less, saving always the minimum which is necessarily required by the Church's nature and end. The power of the Church extends to the whole of man, his inner being as well as his outer being, in all that concerns the attainment of his supernatural end; man is entirely subject to the law of Christ, and of this law the Church has been constituted by her divine Founder as the guardian and executor, in the external forum as well as in the internal forum of conscience. Her power, then, is complete and perfect; and yet it has nothing in common with a totalitarianism that refuses to admit or allow an honest appeal to the clear and inviolable dictates of a man's conscience, a totalitarianism that does violence to those laws of individual and social life which are written in the hearts of men.¹ The object of the Church with her power is not to enslave the human person, but to safeguard its freedom and development, redeeming it from those infirmities and errors, from those aberrations of mind and heart which always end, sooner or later, in dishonour and slavery.

The sacred character which ecclesiastical jurisdiction derives from its divine origin and from the place it holds in the hierarchical authority, should inspire you, dear sons, with the greatest reverence for your office and urge you to discharge its austere duties with lively faith, with unswerving rectitude and with constantly watchful attention. But behind the veil of this austerity, what splendour is revealed to the eye that is able to see in judicial power the majesty of a justice whose sole purpose in all its action is to present the Church, the Bride of Christ, "holy and immaculate"² in the sight of her divine Spouse and in the sight of men!

[Concluding paragraph omitted.]

¹ Rom. ii, 15.

² Eph. v, 27.

JUDICIAL POWER—ECCLESIASTICAL AND CIVIL

(Continued)

ALLOCUTION

OF POPE PIUS XII TO THE AUDITORS AND OTHER OFFICIALS OF THE
ROMAN ROTA, 6 OCTOBER, 1946 (*A.A.S.*, 1946, XXXVIII, pp.
391-397).¹

[Introductory paragraph omitted.]

We began last year to speak of the differences between the ecclesiastical and the civil judicial systems. Having examined the fundamental distinction, in origin and nature, between the two supreme authorities of which the judicial power is an important and necessary function, We went on to deduce from it a similar essential difference between the two judicial systems, despite the manifold resemblances that are discernible between them.

We reach the same conclusion if we now contrast the *object* which is proper to each. Here too we find elements and features in common. In both perfect societies the protection of the common good requires that it should be possible for the rights and possessions of their members to be judicially implemented, protected, and recovered. Moreover those rights and possessions are to some extent identical in Church and State; for, the Church being a visible society as well as the State, her life is necessarily bound up with a physical existence, with the conditions of time and space in which man has his being. On the other hand, however, there are certain rights and possessions so peculiarly proper to ecclesiastical jurisdiction that they cannot, of their very nature, be subject to the judicial power of the State.

I

THE TRIBUNAL FOR THE DEFENCE OF THE FAITH

Among the possessions in defence of which ecclesiastical tribunals (those of local Ordinaries as well as those of the Holy See) have intervened in the course of history—and intervened sometimes with severity—is to be counted the faith itself, the foundation of the whole supernatural life. The Tribunal for the defence of the faith is

¹ Translated from the Italian original by G. D. S.

therefore a legitimate organ of the Church's judicial power inasmuch as she is a perfect religious society.

The defence of the faith and freedom of conscience

The function of this tribunal is to repel juridically any attack made upon what is one of the most important and vital of the Church's possessions. In face of the crimes of heresy and apostasy the Church could not, and cannot, remain inert and indifferent. Doubtless in the course of centuries the tribunal charged with the defence of the faith may have assumed forms and adopted methods uncalled for by the nature of things, yet explicable in the light of the particular historical circumstances; but it would be wrong to see in this an argument against the legitimacy of the tribunal itself.

We are well aware that the very name of this tribunal shocks the sensibilities of many people today. They are those whose thought and intimate feelings are under the spell of a doctrine that rejects all idea of the supernatural and of revelation, claims that the human reason alone is able to reach a complete understanding of the universe and ought to dominate the whole of life, and consequently demands for man in this matter a complete independence of any authority. We are acquainted with the sources of this doctrine and its partisans, and We know the progress it has made; We are aware of the influence it exerts on intellectual, moral, and social life, and on economics and politics; We are familiar also with its varying fortunes during the last few centuries, especially during the past hundred years. Its adherents appeal to the principle of "freedom of conscience" and to the principle of "tolerance" in matters touching the spiritual life, especially religion. None the less they themselves only too often, when once they have got into power, make it their first business to do violence to consciences and to impose an oppressive yoke on the Catholic population, particularly in regard to the rights of parents in the education of their children.

It may appear to the modern conscience that the punishment of crimes against the faith has sometimes in the past exceeded just limits. But it must be admitted that in these days, on the contrary, society in general shows an excessive insensibility and indifference in the matter. The increasingly frequent contacts between different religious professions, mingled indiscriminately within the same nation, have caused civil tribunals to follow the principle of "tolerance" and "liberty of conscience". Indeed, there is a political tolerance, a civil tolerance, a social tolerance, in regard to the adherents of other religious beliefs which, in circumstances such as these, is a moral duty also for Catholics.

The Church herself, in canon 1351 of the Code, has given legal force to the maxim, *Ad amplexandam fidem catholicam nemo invitus cogatur*. "Let none be constrained against his will to embrace the Catholic faith." This canon, which reproduces verbatim the statement of Our great Predecessor Leo XIII in the Encyclical *Immortale Dei* of 1 November, 1885, is the faithful echo of a doctrine taught by the Church since the first centuries of Christianity. Suffice it for the moment to quote the testimony of Lactantius, written about 305-310: "There is no need for violence or injustice; religion cannot be imposed by force. It is only by words, not by blows, that we can move the will. . . . This is why we never detain anyone against his will. God has no use for a man who has no devotion and no faith. Nothing is so much a thing of the will as religion. If he who offers sacrifice has not his heart in it, then religion has gone, religion has disappeared."¹

[At this point the Holy Father rejects the charge, made by the Public Prosecutor in the trial of Archbishop Stepinac, that the Pope had given his approval to "enforced conversions" in Croatia for motives of national imperialism. In this connexion His Holiness quotes a memorandum of the Vatican Secretariate of State, dated 25 January, 1942, the French original of which we print in a footnote.]²

¹ *Div. instit.* lib. v, cap. 19.

² "Se référant à la Note de la Légation Royale de Yougoslavie près le Saint-Siège, n. 1/42 du 9 Janvier courant, la Secrétairerie d'État de Sa Sainteté a l'honneur de porter à la connaissance de la même Légation ce qui suit:

D'après les principes de la doctrine catholique, la conversion doit être le résultat, non pas de contraintes extérieures, mais de l'adhésion de l'âme aux vérités enseignées par l'Eglise catholique.

C'est pour cela que l'Eglise catholique n'admet pas dans son sein les adultes, qui demandent à y entrer ou à y faire retour, qu'à la condition qu'ils soient pleinement conscients de la portée et des conséquences de l'acte qu'ils veulent accomplir.

Par conséquent, le fait que tout à coup grand nombre de dissidents croates demandât à être reçu dans l'Eglise catholique, ne pouvait pas ne pas préoccuper vivement l'Episcopat croate auquel revient naturellement la défense et la protection des intérêts catholiques en Croatie.

Loin de prendre acte officiellement, soit explicitement soit implicitement, de ce fait, il se fit un devoir de rappeler formellement à qui de droit la nécessité que le retour des dissidents pût s'accomplir en toute liberté et de revendiquer en même temps à l'Autorité ecclésiastique la compétence exclusive de donner des ordres et des directives en matière de conversions.

Si un Comité épiscopal fut aussitôt constitué avec la charge de traiter et de décider toutes les questions concernant cette matière, cela a été fait précisément dans le but d'obtenir que les conversions fussent, en conformité avec les principes de la doctrine catholique, le fruit de la persuasion et non pas d'une contrainte.

Le Saint-Siège, de son côté, ne négligea pas non plus de recommander et d'inculquer l'observance exacte des prescriptions canoniques et des directives données à ce sujet."

The essential limits of freedom of conscience

To resume the thread of Our argument, We must add that the ecclesiastical tribunal cannot in the exercise of its jurisdiction adopt the same principle as that followed by the tribunals of the State. The Catholic Church, as We have said, is a perfect society, having as its foundation the truth of faith infallibly revealed by God. Anything opposed to this truth is necessarily an error, and error cannot be allowed objectively the same rights as truth. Therefore freedom of thought and freedom of conscience have their essential limits in the truthfulness of God who reveals. We say, their essential limits, if in reality truth is not equal to error, and if in reality a healthy conscience in man is the voice of God. Hence it follows that a member of the Church cannot without guilt deny or repudiate the Catholic truth which he has once recognized and admitted; and if the Church, having ascertained the fact of heresy and apostasy, punishes it, for example by exclusion from the communion of the faithful, she remains strictly within her own competence and acts, so to speak, in defence of her domestic right.

II

MATRIMONY

Another object which clearly emphasizes the difference between the judicial system of ecclesiastical courts and that of civil courts, is matrimony. This, according to the will of the Creator, is *res sacra*. Therefore in the case of a union between baptized persons it remains of its very nature outside the competence of the civil authority. But even when non-baptized persons are united in wedlock their marriages, if legitimately contracted, are a sacred thing of the natural order, and therefore civil tribunals have no power to dissolve them; nor has the Church in such cases ever recognized the validity of decrees of divorce. This is not to say that in the case of these marriages mere declarations of nullity—relatively rare in comparison with decrees of divorce—may not in certain circumstances be justly pronounced by civil tribunals and be subsequently recognized by the Church.

Of course, in regard to the purely civil effects of marriage, even between baptized persons, the civil authority is the competent judge (can. 1016); this everybody knows. But the competence of the Church in matrimonial questions is much wider and deeper, because it is upon her, by divine institution, that depends especially all that

concerns the protection of the marriage bond and the sanctity of wedlock.

In this competence you, dear sons, have your share, because it is your function to give judgement in marriage cases.

The Pope's anxiety at the growing number of marriage cases

While We are deeply grateful to you for your untiring work especially in this sphere, We cannot but reveal to you Our anxiety at the growing number of these cases, an anxiety which We know to be shared also by you.

The marriage cases pending before your tribunal surely provide a proof and the measure of the gradual weakening of the bonds of married life, a process which threatens to poison and corrupt the morals even of Catholic peoples. The progress of this disastrous disorder has been assisted to a great extent by the two world wars, and incomparably more by the second than by the first. It is impossible for anyone to remain coldly indifferent to this tragedy whose unhappy consequences are still being enacted before our eyes; to the thought of millions of young married couples kept apart by enforced separation for long months and years. What a combination of courage, self-denial and patience, what a treasure of mutual love and trust, what a spirit of Christian faith, have been needed to resist temptation and to preserve inviolate the faith they have sworn to one another! And many, doubtless, with the help of grace besought in prayer, have succeeded in standing firm. But, side by side with these, how many have been less resolute! How many homes have been ruined, how many hearts wounded in their human dignity and in their delicate conjugal sensibilities, how many mortal blows have been struck at family happiness!

It is our task now to reconstruct these ruins, to heal these wounds, to cure these ills. The Church's motherly heart grieves for the unspeakable sufferings of so many of her children, and to help them she spares no effort and goes to the extreme limit in her indulgence. This extreme limit is solemnly formulated in canon 1118 of the Code of Canon Law: "*Matrimonium validum ratum et consummatum nulla humana potestate nullaue causa, praeterquam morte, dissolvi potest.*"

No one doubts that one of the chief cares of the Church today must be to check by every possible means the growing decline of marriage and family life; and of this she is herself fully conscious. But at the same time she is well aware that her efforts will only bear effective fruit so far as general conditions—economic, social, and especially moral—make it less difficult in practice to lead a married

life pleasing to God. In this connexion the public authorities have a very grave responsibility.

Meanwhile, and pending the realization of this improvement in public morality, it will be for you, dear sons, to labour "with toil and endurance"¹ in coping with this ceaseless influx of marriage cases. The restoration of married and family life to a healthy condition is one thing, and judicial procedure in marriage cases is another. It is the function of this judicial tribunal to judge and decide the cases that come before it objectively according to the facts and the regulations of Canon Law. As you discharge your duty with the incorruptible impartiality of the conscientious judge, continue firm in the conviction that you are thereby contributing greatly to the edification of the Church. The wise and equitable manner in which this Tribunal—with the generous co-operation of the advocates of the Rota—deals with the financial side of marriage cases in the difficult economic conditions of the present time, is a clear proof that you recognize your work for what it really is: a service rendered to the true welfare of the faithful, to the salvation of souls.

III

THE SUPREME CONGREGATION OF THE HOLY OFFICE

Among the objects of the judicial power of the Church We must count—in addition to the defence of the faith—also those matters which belong properly to the tribunal of the Holy Office. The strictness of its procedure is required by the very sacredness of the things which it is its duty to protect and by the seriousness of the crimes which it is called upon to judge. There would be no special reason for making special mention of this tribunal were it not that its method of procedure is remarked as running counter to the principle of public trials, a principle nowadays generally admitted and regarded as a necessary guarantee against arbitrary and unjust decisions.

It is true that the proceedings of this tribunal, even in criminal cases, take place under the seal of secrecy. But it is to be remembered in the first place that the criminal procedure of civil States also provides for the hearing to be wholly or partly *in camera* in certain cases, where such a method is required by the common good. Now it is precisely this principle that the Church applies in the penal

¹ Apoc. ii, 2.

processes of the Holy Office. On the other hand it is essential in such cases to provide all essential guarantees for a just and equitable trial: the calling of evidence in support of the charges against the accused, with facilities for the latter to rebut them or make any statement he may think useful in his own defence; free defence for the accused, conducted either personally by himself or else by an official advocate or one of his own choice; complete and conscientious impartiality in the judges. And all these conditions are fulfilled in the Tribunal of the Holy Office.

Your office is a very important one, dear sons, not only because of the vast field it covers but also because of the responsibilities it entails and the severe strain of work it imposes. A holy office and a beneficent one, it is quite unknown to many, and by others it is misconceived. But God is well pleased with your work, and knowing how valiantly you labour for His honour, for the service of the Church, for the good of souls, and for the welfare of society, He pours out His graces abundantly upon you—in earnest of which We grant heartily to all of you here present Our fatherly Apostolic Benediction.

BOOK REVIEWS

The Theology of Confirmation in Relation to Baptism. A Public Lecture in the University of Oxford, delivered on 22 January, 1946. By Dom Gregory Dix, Monk of Nashdom Abbey. (Dacre Press, Westminster. 2s.)

IN this pamphlet the drift of the author's contention would seem to be that in the thought of the "primitive Church"—the N.T. and the earliest Christian writers—Confirmation was an essential element in Baptism, without which the rite of Christian Initiation was incomplete—the Baptism of water being little more than a preliminary to or preparation for the "Baptism of the Spirit" (p. 17, first paragraph), a phrase which he repeats again and again, but without indicating its source.

Dom Dix does not offer any examination of the N.T. evidence beyond a couple of passages. The Baptism of the Eunuch by St Philip, where there is no mention of anything but *water*-Baptism, bothers him (p. 15); but he discounts this on the ground that "Acts was in no sense canonical until the last quarter of the second

century" (cf. also p. 19: "the still recently canonised Acts of the Apostles"). Yet surely Acts is the main source for what he calls the "Baptism of the Spirit". And what has the early or late canonicity of Acts to do with the question at all?

On p. 30 he quotes Titus iii, 5, in passing as if evidence for a *rite* of Confirmation in connexion with Baptism (by water), thus: "the laver of regeneration and the renewing of the Holy Ghost". But in the Greek there is no article before the word "renewing", and both genitives "of regeneration" and "of renewing" may equally refer to "the laver"—i.e. "the *washing*" may result *both* in "regeneration" and in "renewing of the Holy Ghost"; and so the Latin Vulgate takes it. He does not refer to Peter iii, 20-21, where it is said that in the Ark of Noah eight souls were saved "through *water*" and where the passage continues: "*which also* after a true likeness doth now save you, (*even baptism*)" (so R.V.). Here surely it is the *water* of Baptism that "saves".

But the most unaccountable proceeding is Dom Dix's treatment of the early patristic evidence. He begins with the *Apostolic Tradition* of Hippolytus (first quarter of third century), as if that were the earliest formal account of the rites of Baptism. There Confirmation immediately follows Baptism, as it did for centuries after. But there are before this two quite formal accounts of Baptism which say nothing whatever about Confirmation, but treat the water-Baptism as the whole rite. These are found in St Justin Martyr (1 *Apol.*, 61) and the *Didache* c. vii. St Justin wrote about A.D. 150 and in Rome. I believe the *Didache* to be a little later than Justin (about the last quarter of the second century), but most critics cling to the view that it is quite early in the second century, if not actually first century.

Will it be believed that Dom Dix nowhere says a word about either Justin or the *Didache*?

Here is what we read in the *Didache* c. vii:

"But concerning Baptism, thus baptize. Having first recited all these things, baptize in the name of the Father and of the Son and of the Holy Spirit in living (running) water. But if thou hast not living water, then baptize in other water, and if thou art not able in cold, then in warm. But if thou hast neither (? in sufficient quantity for immersion), then pour water on the head thrice in the name of the Father and of the Son and of the Holy Spirit." That is the whole account.

Justin (*Apol.* i, 61). He is as silent about anything that could suggest Confirmation as the *Didache*. Those who have been instructed and are ready to live the Christian life "are led by us to where there is *water*, and are regenerated with the same manner of *regeneration*

whereby we were regenerated"—in the name of the Father, Son and Holy Spirit. And further on: "Now this *washing* is called *illumination*, since those who have learned these things are enlightened in their mind" . . . "he who is thus enlightened is *washed*" (in the name of the Father, Son and Holy Spirit): not a word about oil or imposition of hand, or anything suggestive of a "Baptism of the Spirit".

Now I am ready to believe that in Justin's time there was already a ceremony of Confirmation following the actual Baptism at Easter; otherwise it would be hard to account for its appearance only about 50 to 75 years later in Tertullian and Hippolytus. The point is here, that for Justin the *Baptism in water* was the one and complete rite of Christian Initiation, conferring "*regeneration*" and "*illumination*". It was this by itself that made a man a Christian.

As regards the *Didache*, the same holds good; except that in this case I find it harder to think that the author had any thought of a following Confirmation in his mind at all: if he had, no plausible reason can be assigned for his silence about it.

There cannot be (to the mind of the present writer) the least doubt that the earliest idea and practice regarding Baptism was that which the word itself implies—a *washing* from all sin, and regeneration to a new life.

R. HUGH CONNOLLY, O.S.B.

The Origins of Modern Germany. By G. Barraclough. Demy 8vo. Pp. x + 481 with nine maps. (Basil Blackwell. 21s.)

THE best way to tackle this book is to read the last chapter first. It explains Mr Barraclough's purpose in writing this sweeping survey of German history; and it explains too his anxiety for the future lest the "German problem" be first of all misunderstood and, as a consequence, mishandled. "The question in 1946 is whether the victorious powers will repeat the mistakes of 1919. The way to a lasting settlement is pointed unmistakably by sober historical analysis: it is to complete, in a framework of German unity, the process of democratization checked in 1918 and 1919, and this can be done in favourable conditions since there is, this time, no German army in existence to serve as a bulwark of reaction, while throughout Europe there is no disposition on the part of the ruling majorities to deny the need for radical social change. This is a policy of eliminating the factors which, through the ages, have retarded German development, and thus of preparing the way for Germany, purged of National Socialism, to take its place as an equal partner in Europe; it is a policy of stilling what has been called 'the sleepless

antagonism between the beneficiaries and the victims of the *status quo*." And again: "What is at stake is not the fate of Germany alone, but the fate of Europe; for there can be no lasting settlement in Europe without a settlement of the German question which, removing the age-old bars to German unity and German democracy, permits the German people to take its place as an equal partner in the comity of European nations. The alternative, as Wilson foretold on his way to the peace conference in 1919, is 'another break-up of the world, and when such a break-up comes it will not be a war but a cataclysm'."

With these thoughts in mind the reader should turn to the beginning of Mr Barraclough's survey. His thesis—for I fear that this account of German history is written to maintain a thesis—is that Germany has, by the irony of history, suffered a series of frustrations of which the two most serious were the frustration of the movement towards German unity and the frustration of the movement towards democracy. German history is a story of developments which started and which were cut short. The development of the early monarchy was arrested in 1076 when Pope Gregory VII excommunicated the Emperor Henry IV and suspended him from government. The movement towards national unity was fatally checked with the collapse of the Hohenstaufen Empire in 1250. The growth of representative estates failed as a result of the Reformation. The Thirty Years' War and the Congress of Vienna kept apart the different elements in Germany which might have fused into a single whole. The possibility of self-government was wrecked in 1871; and the redistribution of economic power was mishandled in the settlements of 1918 and 1919.

If one can apportion blame for this state of affairs it must be given to the three agents who, in Mr Barraclough's view, were chiefly responsible: the German territorial Princes, the Papacy, especially in the person of Pope Gregory VII, and the engineers of the foreign policy of France from the sixteenth century to the present day.

Mr Barraclough has placed all students of the constitutional history of mediaeval Germany in his debt by the work he has done in translating and editing the studies and essays of some of the most important modern German historians.¹ The relationship of the monarchy to the great duchies is one of the points which he has

¹ The series published by Messrs. Blackwell includes the following: *Mediaeval Germany, 911-1250*; *Church, State and Christian Society at the Time of the Investiture Contest*, by G. Tellenbach; *Kingship Law and Constitution in the Middle Ages*, by F. Kern.

helped to make clear, and his insistence on this element of disunion is an important means of helping students of German history to understand one of the sources of "frustration".

On the question of Papal responsibility for German disunity, I feel that Mr Barraclough is on less secure ground. It is true that Pope Gregory VII made alliance with the territorial Princes against the Emperor and that the long struggle between the *Regnum* and the *Sacerdotium* was a great obstacle to the attainment of German unity; but it seems to me that Mr Barraclough states the Papal position in a somewhat unfair manner. His main contention is that Gregory VII was an innovator, and was undermining a position which had been built up for the monarchy over more than two centuries. What he does not make clear is that the growth of the royal theocracy had been a menace to the Church since the days of Charlemagne and that there had been a movement of action and reaction between the spiritual and the temporal powers in their struggle for superiority in a society which made no clear distinction between the two spheres. It is surprising, for example, to find such small emphasis on Charlemagne's conception of his position and quite remarkable to find no mention of the outstanding work of Pope Nicholas I.¹ The royal theocracy was accepted by many in the eleventh century as of divine institution and the proprietary system of *eigenkirchen* was generally admitted throughout the imperial Church. But the deposition of Pope Gregory VI at Sutri in 1046 and the struggle over the Archbishopric of Milan brought affairs to a head, and it became clear that in the unitary society of the eleventh century there could not be a partnership of authorities but only the domination of one by the other. "La mise en scène de Sutri," M. Amann has well said, "posait le souverain en arbitre des destinées de l'Eglise romaine." The trouble was that in the society of the eleventh century the idea of two co-ordinate spheres of authority, the spiritual and the temporal, did not yet exist. The germ of the idea of their distinction was to come into existence in the fourteenth century and was not to reach its full growth until St Robert Bellarmine; and not until 1885 did Leo XIII consecrate the expression *utraque est in suo genere maxima*. As Fr Philip Hughes has well said: "These popes . . . found their greatest obstacle in the actually existing, all-

¹ See for example the Pope's claim to dominion set out in his letter to Charles the Bald, Ep. xxxi, *Ad Carolum Calvum*, Migne, P.L., cxix, 820-1. This aspect of Papal thought and policy is developed by M. Arquillière in his book *L'Augustinisme Politique* and in *La Formation de la Théocratie Pontificale*, in *Mélanges d'Histoire offerts à M. Ferdinand Lot*. Mr Barraclough makes no mention of these studies in his book. The omission is perhaps significant, especially when coupled with the absence of any mention of M. Augustin Fliche's great work *La Réforme Grégorienne*.

embracing, imperial and royal absolutism which had all but merged the Church in the state. If the pope was not to be all, then the king would be all; the pope must be all, or the Church would be nothing. The alternative before Christendom was the supremacy of the Church over the state, or else Caesar, to all intents and purposes, the pope. The popes, with remarkable faith—and courage—did not shrink from choosing; they dutifully climbed the heights and thence proceeded to judge the world." In this sense it seems to me that Mr Barraclough is making an inadequate distinction when he says that for Gregory and his successors "the end justified the means, and that they were more intent on breaking the power of the crown within the Church than on purifying the Church from abuse". It is worth remembering that even after the fall of the Hohenstaufen Empire it was Pope Gregory X who was responsible for the uncontested election of Rudolph of Habsburg, which brought a generation of civil war in Germany to a close.

On the question of French responsibility for German disunion, it is difficult indeed to preserve a just balance, for this is perhaps the most delicate of all the complex problems of German and European history. It may be a good thing that Mr Barraclough has given us the German side; provided we remember that it is not the only side.

With these reservations—and for the Middle Ages they are, I think, substantial—this is a book which ought to be read by anybody who wishes to have a better understanding of the problem of the settlement of Germany. The influence of Prussia and Prussianism is seriously minimized and there is perhaps too great attention given to the economic aspect of German history. But the menace of mis-handling Germany is a very real one. As the Bishop of Leeds said in his recent Lenten Pastoral, it is a lunatic world which accepts without question the appointment, as the official chiefly responsible for the re-education of Germany, of a professed atheist. Here indeed is food for thought; and an indication of the importance of having a full historical background against which to set the German problem. Mr Barraclough has not, I think, given us all that background; but he has gone a good way towards it.

A. B.

The Priest's Guide to Holy Week. By Rev. Arthur Proudman. Pp. 56. (Burns Oates, 1s. 6d.)

THIS practical little manual appears opportunely and will be welcomed by parish priests as an aid to performing with correctness and dignity the exacting rites of Holy Week. Fr Proudman has

performed a task which to the unexperienced might appear like extracting the essence out of beef tea, for the *Memoriale Rituum* is itself a summary issued by the Holy See for the assistance of small parishes. The experienced, however, will know that the official book is often needlessly diffuse, essentials and non-essentials being included without any variation of type or arrangement. With Fr Proudman's manual at hand, the priest and his assistants may see at a glance what must be prepared for each rite, and the chief features occurring within it. In addition, he will find the text of prayers and other forms required by the celebrant when away from the missal, the whole legibly printed and conveniently arranged.

E. J. M.

Life out of Death: Blessed Marie Thérèse de Soubiran La Louvière. By Rev. C. Hoare. Pp. 24. (Coldwell. 6d.)

THE recent beatification of the foundress of the Society of Marie Auxiliatrice gives a topical interest to this life, in which the author has incorporated some material hitherto unpublished. A larger life together with her personal spiritual notes will be published later.

Pilgrim Cross. Pp. 32. Blackfriars Publications, Oxford.

THE price of this book, reviewed in our previous issue, is 2s. 6d., not 8s. 6d., as was there printed in error.—[EDITOR].

CORRESPONDENCE

LIBER PSALMORUM—PSALTERIUM

(THE CLERGY REVIEW, 1947, XXVII, p. 175, n.)

We are desired by Messrs Burns Oates & Washbourne to say that although, in common with most Catholic booksellers, they are able to supply the *Liber Psalmorum*, they have made no promise of issuing shortly an edition of the new *Psalterium*. Of this latter they have been able to import a limited quantity from abroad, and these are available.—THE EDITOR.

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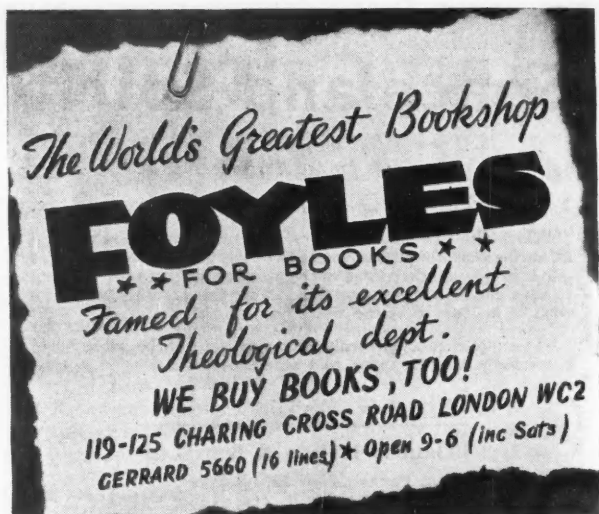
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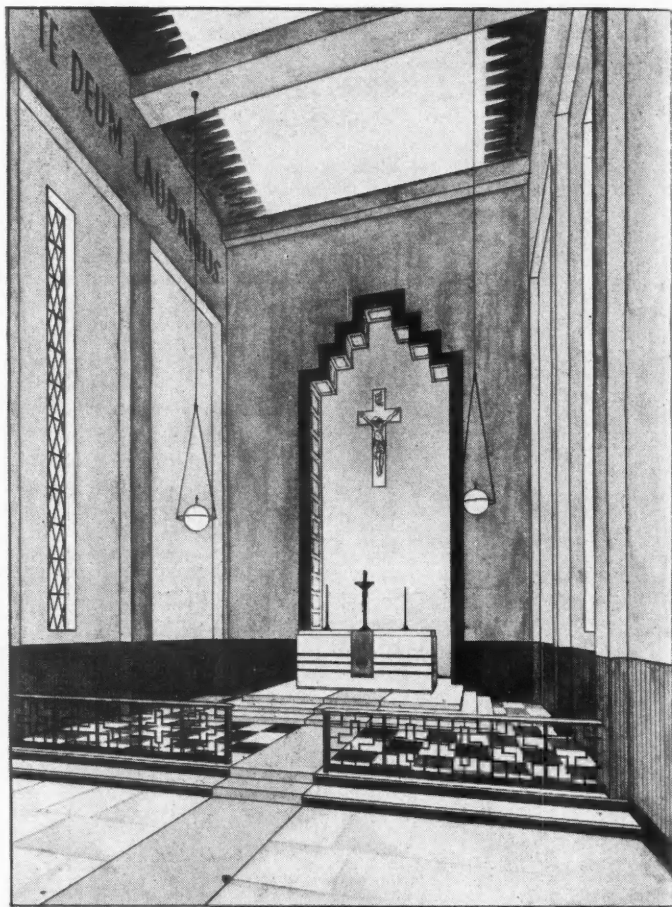
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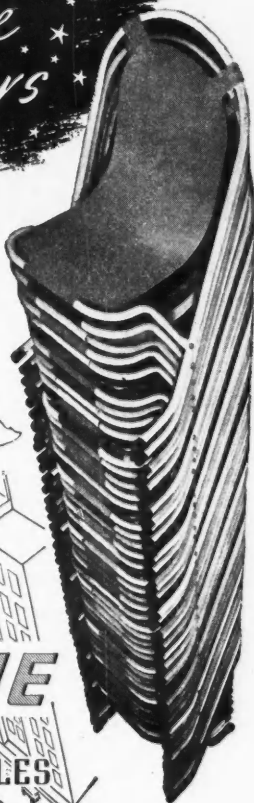
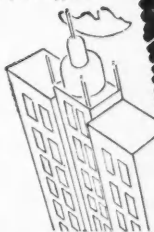
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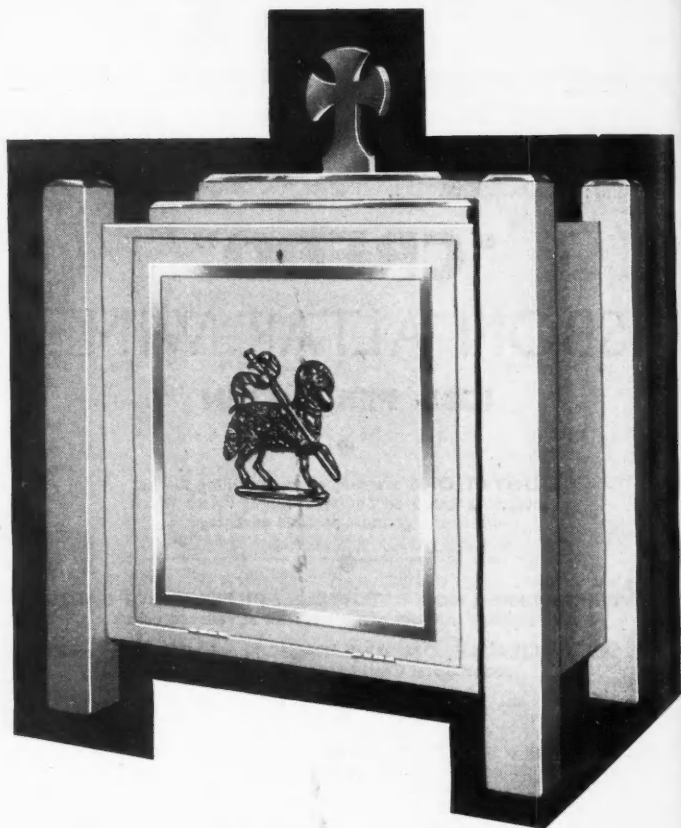
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